Daf Notes

Insights into the Daily Daf Yevamos Daf 50

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Highlights

The Gemora addresses the third apparent contradiction of which Menasheh had asked Yeshaya. (Moshe Rabbeinu stated, "I (HaShem) shall fill the number of your days," which implies that HaShem will not add to ones lifespan, whereas you said to King Chizkiyah, "I (HaShem) will add fifteen years to your life.")

6 Tammuz 5767

The Gemora answers that this matter is in fact a Tannaic dispute. We have learned in a braisa: *I* (*HaShem*) shall fill the number of your days, these are the years that a person is granted to live at the beginning of his life. If he merits, those years will be completed. If he does not merit, they will decrease years from his lifetime; these are the words of Rabbi Akiva. The Chachamim say: If one merits, they will increase years to his lifetime, but if he does not merit, they will decrease years from his lifetime.

The Chachamim said to Rabbi Akiva: Behold it is written: *I* (*HaShem*) will add fifteen years to your life. (*This proves that years can be added* to one's life.) Rabbi Akiva responded to them: Those fifteen years were originally his (fifteen years was deducted from his life on account of a sin, but it was returned to him after he repented). He proves this from the fact that (many years earlier) the prophet prophesied (to Yeravam) that a son will be born to the house of David; Yoshiyahu will be his name. And Menasheh (Yoshiyahu's grandfather) was not yet born (at the time of Chizkiyah's illness). (Obviously, Chizkiyah's original life span was not complete at this time.)

The Gemora asks: How do the Chachamim understand this prophecy?

The Gemora answers: The prophet did not say explicitly that Yoshiyahu will come from Chizkiyah; it was possible that he would come from some other descendant of King David. (49b - 50a)

WE SHALL RETURN TO YOU, HACHOLEITZ LIYIVIMTO

The Mishna states: (*This Mishna is extremely technical and we have included explanations from the Kahati Mishnayos (with our editing) for the sake of clarity.*)

{**Explanation of the Mishna, lines 1 – 6**} Rabban Gamliel says, There is no validity for a *get (bill of divorce)* after a *get*, and no *ma'amar* after *ma'amar*, and no cohabitation after cohabitation, and no *chalitzah* after *chalitzah*. But the Chachamim say: There is validity for a *get* after a *get*, and there is *ma'amar* after *ma'amar*, but after cohabitation or after *chalitzah there is no validity to anything*.

In order to understand this chapter, it is first necessary to explain a number of principles, some of which have already been mentioned in the preceding chapters:

(1) By Torah law, the *yevamah* is married by *yibum* to the *yavam*, to be the wife in every respect, only by *bi'ah*, an act of cohabitation, as it is written, "her husband's brother shall go in [*yavo*] to her, and take her to him as a wife, and perform the duty of a husband's brother to her" (Deut. 25:5). The Sages, however, enacted that the *yavam* may not cohabitate with his *yevamah* until he marries her with money or a document, in the manner in which this is done for all other women. Such marriage with money or document is called "*ma'amar*." *Ma'amar* effects only a partial contract of marriage, involving its restrictions for the *yevamah*, as taught in the preceding chapters.

(2) The yevamah is released form her zikah (attachment to the yavam), and permitted to marry any man, only by chalitzah. If her yavam gave her a bill of divorce, the Sages enacted that the bill is restrictively effective as far as chalitzah is concerned, disqualifying her from yibum (for "since he did not build up, he may no longer build up"), prohibiting her co-wives to him and to the other brothers, prohibiting her relatives to him, and disqualifying her from marrying a Kohen, as is the law regarding a divorced woman, but she nevertheless is not permitted to marry another until he submits to chalitzah from her.

(3) If a *yavam* married his *yevamah* by *ma'amar*, but he does not want to consummate the marriage, he must give her a bill of divorce and also to submit to *chalitzah* from her: the bill of divorce -- in order to release her from the *ma'amar* marriage, and *chalitzah* -- in order to release her from the *yibum* tie, and to release her so that she may be married to another.

Rabban Gamliel says: There is no validity for a get (bill of divorce) after a get -- if two wives (e.g., Leah and Chanah) of a dead, childless man came before his brother for *yibum*, and he gave a bill of divorce to Leah, and afterwards he gave a bill of divorce to Chanah, the latter's bill of divorce is not valid, and he is not forbidden to marry her relatives. This is because when he gave a bill of divorce to Leah, he was released from the *zikah*-attachment to both of them (as stated in the introduction to the Mishna), for the bill of divorce is effective for the yevamah, by Rabbinic law, as a kind of *chalitzah*, to remove her from *yibum* and to prohibit her co-wives to him and to the other brothers (since a bill of divorce effects divorce for a married woman). And similarly, if two yevamim give each a bill of divorce to one yevamah, the bill of the second one is void, and he is permitted to marry her relatives.

And no ma'amar after ma'amar -- if one yavam married by ma'amar two yevamos from one brother who came before him for yibum, i.e., he married one of them and afterwards married the other; or if two yevamim married by ma'amar, one yevamah; the second ma'amar is void, and she does not require a bill of divorce from him to annul the ma'amar, and he is not forbidden to marry her relatives.

And no cohabitation after cohabitation -- if one *yavam* cohabited with two *yevamos*, or if two *yevamim* cohabited with one *yevamah*, the first act of cohabitation counts as *yibum*, and the second is an act of licentiousness; she does not require a bill of divorce as a result of this second cohabitation, and the second *yavam* is not forbidden to marry her relatives.

And no *chalitzah* after *chalitzah* -- if one yavam submitted to *chalitzah* from two yevamos, or if two yevamim submitted to *chalitzah* from one yevamah, the second *chalitzah* is void, and she is permitted to marry a Kohen, and he is permitted to marry her relatives.

But the Chachamim say: There is validity for a get after a get -- since the bill of divorce does not completely release the yevamah from her zikah-attachment, for she still requires chalitzah to be permitted to be married to another (as explained in the introduction to this Mishna), therefore the second bill of divorce is valid, and he is forbidden to marry her relatives.

And there is ma'amar after ma'amar -- as *ma'amar* does not constitute a complete contract of marriage with the *yevamah* as does consummation, but only a partial contract of marriage, therefore the second *ma'amar* is also valid and she requires a bill of divorce, and he is forbidden to marry her relatives.

But after cohabitation or after *chalitzah there is no validity to anything* -- as the consummation constitutes a complete contract of marriage for the *yevamah*, and *chalitzah* completely dissolves the *zikah*-attachment, whatever *yavam* does to the *yevamah's* co-wife after cohabitation, or after the *chalitzah*, or whatever another *yavam* does to this *yevamah*, has no legal significance. (50a)

{Explanation of the Mishna, lines 6 – 9}

The Mishna continues: How so? If he married his *yevamah* by *ma'amar*, and he gave her a bill of divorce -- she requires of him to submit to

chalitzah. If he married by *ma'amar* and submitted to *chalitzah* -- she requires a bill of divorce from him. If he married by *ma'amar* and cohabited with her -- then this is according to the *mitzvah*.

How so -- is the law regarding the bill of divorce, *ma'amar*, etc., which was taught above? The Gemora explains that this "How so?" does not refer to the disagreement between Rabban Gamliel and the Chachamim taught above, but is an independent topic, and serves as an introduction to the next portion of the Mishna. Thus, this Mishna explains the law of *ma'amar*, bill of divorce, *chalitzah* and cohabitation where there is one *yavam* and one *yevamah*.

If he -- the *yavam*, married his yevamah by ma'amar -- he married her with money or a document, and afterwards he gave her a bill of divorce -- she requires of him chalitzah -- in order to release her from the *yibum* tie. He is prohibited, however, from wedding her as his *yevamah* because of the bill of divorce that he gave her.

If he married by ma'amar and submitted to chalitzah from his *yevamah*, she requires a bill of divorce from him -- to cancel his *ma'amar* marriage, since *chalitzah* does not dissolve the *ma'amar*, but only the *yibum* tie.

If he married by ma'amar and cohabited with her -- then this is according to the mitzvah -although the Torah states, "her husband's brother shall go in to her" (Deut. 25:5), and (*by Torah law*) he is not required to wed her ceremonially first, the Sages nevertheless enacted that the *yavam* may not cohabit with a *yevamah* until he marries her by *ma'amar*. This *yavam* has indeed first fulfilled the obligation imposed by the Sages, and afterwards he performed *yibum* on her according to the command of the Torah. (50a)

{Explanation of the Mishna, lines 9 – 2 (50b)}

The Mishna continues: If he gave a bill of divorce, and he married by ma'amar -- she requires a bill of divorce and *chalitzah*. If he gave a bill of divorce and he cohabited with her -- she requires a bill of divorce and *chalitzah*. If he gave a bill of divorce, and he submitted to *chalitzah* – there is no validity to anything that follows chalitzah. If he submitted to chalitzah and then either married by ma'amar, or he gave a bill of divorce, or he cohabited with her; or if he first cohabited with her and then either married by *ma'amar*, or he gave a bill of divorce or he submitted to chalitzah - there is no validity to anything that follows *chalitzah*. It is all the same, whether one yevamah to one yavam, or two yevamos to one yavam.

If he first gave a bill of divorce -- to his *yevamah*, and afterwards he married -- her, by ma'amar, she requires a bill of divorce -- to cancel the *ma'amar* marriage, and chalitzah -- to dissolve her *yibum* tie, and he may not wed her as his *yevamah* after the *ma'amar*, because of the bill of divorce which he had given her initially.

If he gave a bill of divorce -- to his yevamah, and he afterwards cohabited -- with her, she is ineligible for yibum from the time that he gave her a bill of divorce and is prohibited to him, and the cohabitation with her after the bill of divorce is unlawful (but is akin to performing ma'amar), therefore she requires a bill of divorce -- because of the cohabitation, and chalitzah -- because of her tie to him.

If he gave a bill of divorce -- to his yevamah, and afterwards he submitted to chalitzah -from her, there is no validity to anything that follows chalitzah -- and she is completely released. (The Gemora explains that this Mishna teaches that if afterwards he married her by ma'amar or by cohabitation, she does not require a bill of divorce, for this Mishna is according to Rabbi Akiva, who holds that a marriage involving a Torah prohibition punishable by lashes is void.)

If he submitted to chalitzah, and then either married by ma'amar -- after the chalitzah, or -- if after the chalitzah -- he gave a bill of divorce, or -- after the chalitzah, he cohabited with her; or if he first cohabited with her -with his yevamah, and then either married by ma'amar -- after cohabitation, or he gave a bill of divorce -- after cohabitation, or he submitted to chalitzah -- after cohabitation. there is no validity to anything that follows chalitzah -- whatever he did after the *chalitzah* is of no legal significance. (The Mishna stated "there is no validity to anything that follows chalitzah," and did not also state "there is no validity to anything that follows cohabitation," in order to be concise, and it preferred to teach the law whereby the *yevamah* is freed to marry any man.

It -- the law, is all the same, whether one yevamah to one yavam, or two yevamos to one yavam -- whether one yevamah or two yevamos from one brother, who came before one yavam for yibum, something can effectively follow after the first bill of divorce or after the first marriage by ma'amar, but nothing can effectively follow after cohabitation or after chalitzah. (50a - 50b)

{Explanation of the Mishna, lines 2 – 10}

The Mishna explains the case of two Yevamos: How so? If he married this one by *ma'amar*, and that one by *ma'amar*, they require two bills of divorce and *chalitzah*. If he married this one by *ma'amar* and he gave a bill of divorce to that one -- she requires a bill of divorce and *chalitzah*. If he married this one by *ma'amar*, and cohabited with that one -- they require two bills of divorce and *chalitzah*. If he married this one by *ma'amar*, and he submitted to *chalitzah* from that one -- the first requires a bill of divorce. If he gave a bill of divorce to this one, and a bill of divorce to that one -- they require from him *chalitzah*. If he gave a bill of divorce to this one, and he cohabited with that one -- she requires a bill of divorce to this one, and *ma'amar* to that one -- she requires a bill of divorce and *chalitzah*. If he gave a bill of divorce and *chalitzah*. If he gave a bill of divorce to this one, and he submitted to *chalitzah* from that one -there is no validity to anything that follows *chalitzah*.

How so -- is the law regarding two *yevamos* tied to one *yavam*? If he married this one by *ma'amar*, and afterwards that one -- the second one, they require two bills of divorce -- each one requires a bill of divorce, according to the opinion of the Sages before that *ma'amar* after *ma'amar* is effective, and one of them requires chalitzah -- and she exempts her co-wife.

If he married this one by ma'amar, and afterwards he gave a bill of divorce to that one -- the second one, she -- the one whom he married by *ma'amar*, requires a bill of divorce -- because once he gave a bill of divorce to the other one, she is prohibited to him, and one of them requires chalitzah -- and she exempts her co-wife.

If he married this one by ma'amar -- he married one of them, and afterwards cohabited with that one -- the other one, they require two bills of divorce -- one because of his *ma'amar*, and the other because of his cohabitation with her, and chalitzah -- from one of them. If he married this one by ma'amar -- one of them, and afterwards he submitted to chalitzah from that one -- the other, the first requires a bill of divorce -- to annul the marriage effected by his *ma'amar*.

If he gave a bill of divorce to this one, and a bill of divorce to that one -- if he gave a bill of divorce to each of them, they require from him chalitzah -- to dissolve their yibum tie (he submits to chalitzah from one of them and she exempts her co-wife). If he gave a bill of divorce to this one -- one of them, and afterwards he cohabited with that one -- the other, she -- the one with whom he cohabited with, requires a bill of divorce -- as the act of cohabitation was unlawful once he had given the bill of divorce to the first one, and one of them requires chalitzah -- and she exempts her cowife.

If he gave a bill divorce to this one -- one of them, and afterwards was married by ma'amar to that one --- the other, she -- the one whom he married by *ma'amar*, requires a bill of divorce -- because of the *ma'amar*, and one of them requires chalitzah -- and she exempts her cowife.

If he gave a bill of divorce to this one -- one of them, and afterwards he submitted to chalitzah from that one -- the other, there is no validity to anything that follows chalitzah -- and if he once again betrothed his *chalutzah* or her cowife, the marriage is void, according to the opinion of Rabbi Akiva, who holds that a marriage involving a Torah prohibition punishable by lashes is void. (50b)

{Explanation of the Mishna, lines 10 - 14} The Mishna continues: If he submitted to *chalitzah* and he submitted to *chalitzah*, or he submitted to *chalitzah* and he either married by *ma'amar*, or gave a bill of divorce or cohabited with her; or if he cohabited with her and he cohabited with her, or he cohabited with her and he either he married by *ma'amar*, or he gave a bill of divorce or he submitted to *chalitzah* – there is no validity to anything which follows *chalitzah*, whether one *yavam* to two *yevamos*, or two *yevamim* to one *yevamah*.

The Mishna continues to discuss the case of two *yevamos* who were married to one brother and are tied to one *yavam*.

If he submitted to chalitzah -- from one, and afterwards he submitted to chalitzah -- from the other or he submitted to chalitzah -- from one, and afterwards he either married by ma'amar -- the other one, or if he gave a bill of divorce to, or he cohabited with her -- with, the second; or if he cohabited with her -- with one. and afterwards he cohabited with her -with the other, or if he cohabited with her -with one, and either married by ma'amar -the other, or he gave a bill of divorce to, or he submitted to chalitzah -- from, the second one, there is no validity to anything which follows chalitzah -- i.e., whatever he did to the second one after he submitted to *chalitzah* from the first is of no legal significance, and he is permitted to marry the relatives of the second. And likewise, nothing follows the act of cohabitation, i.e., what he did to the second one after he cohabited with the first is of no legal significance, and he is permitted to marry the relatives of the second,

Whether one yavam to two yevamos, or two yevamim to one yevamah -- also in the case of two yevamim and one yevamah, if one of the yevamim married her by ma'amar, or gave her a bill of divorce, or submitted to chalitzah from her, or cohabited with her, and afterwards his fellow did one of these acts, the same laws apply to her, that there is no validity to anything which follows chalitzah and no validity to anything which follows cohabitation, whereas after ma'amar or a bill of divorce, she requires a bill of divorce and chalitzah or only chalitzah, as was explained regarding the case of one yavam and two yevamos. (50b)

{Explanation of the Mishna, lines 14 – 21}

The Mishna continues: (The Mishna repeats one of its earlier halachos, and qualifies it.) If he submitted to *chalitzah* and then either married by *ma'amar*, or he gave a bill of divorce, or he cohabited with her; or if he first cohabited with her and then either married by ma'amar, or he gave a bill of divorce or he submitted to chalitzah - there is no validity to anything that follows chalitzah. This would apply whether he submitted to *chalitzah* at the beginning, or in the middle, or at the end. However, regarding cohabitation, when it is at the beginning, there is no validity for anything which follows it, whereas if it was in the middle, or at the end -there is validity to something which follows it. Rabbi Nechemia said: It is all one, cohabitation and *chalitzah*, whether at the beginning, or in the middle, or at the end -- there is no validity for anything which follows it.

The Mishna repeats a portion of the Mishna mentioned before in order to qualify it.

If he submitted to chalitzah, and then either married by ma'amar -- after the *chalitzah*, or -- if after the chalitzah -- he gave a bill of divorce, or -- after the *chalitzah*, he cohabited with her; or if he first cohabited with her -with his yevamah, and then either married by ma'amar -- after cohabitation, or he gave a bill of divorce -- after cohabitation. or he submitted to chalitzah -- after cohabitation, there is no validity to anything that follows chalitzah -- whatever he did after the chalitzah is of no legal significance. This would apply whether he submitted to chalitzah at the beginning -- and afterwards married by ma'amar or gave a bill of divorce, or in the middle – e.g., he gave a bill of divorce, submitted to *chalitzah*, and married by *ma'amar*, the ma'amar after chalitzah is not valid at all. and she does not require a bill of divorce from his ma'amar, or at the end -- if he married by

ma'amar and gave a bill of divorce, and afterwards he submitted to *chalitzah*, there is no validity for anything which follows *chalitzah*, and if he again married by *ma'amar* after the *chalitzah*, she does not require a bill of divorce, for the *chalitzah* releases her completely from her *yibum* tie.

However, regarding cohabitation, when it is at the beginning -- e.g., in the case of one *yavam* and two *yevamos*, he first cohabited with one, and afterwards married by *ma'amar* the other, there is no validity for anything which follows it -- for the *yibum* tie has already been entirely cut. Whereas if it was in the middle -e.g., he gave a bill of divorce, cohabited, and married by *ma'amar*, or at the end -- e.g., he gave a bill of divorce, married by *ma'amar*, and cohabited, there is validity to something which follows it -- since unlawful cohabitation does not effect *yibum* and she is still tied to the *yavam*, she requires *chalitzah*.

Rabbi Nechemia said: It is all one whether cohabitation and -- or -- chalitzah, whether at the beginning, or in the middle, or at the end -- even if cohabitation followed the bill of divorce and ma'amar, there is no validity for anything which follows it -- and she goes forth with a bill of divorce without *chalitzah*. If he married by ma'amar after cohabitation, e.g., in the case of two yevamos, after he cohabited with one woman, he married the other by ma'amar, the ma'amar is not effective (Rashi; Bartenura). Other commentators state that even according to the opinion of Rabbi Nechemia, unlawful cohabitation does not completely cut the yibum tie, and she requires *chalitzah*, and the clause "there is no validity for anything which follows it" means that *ma'amar* is invalid after the act of cohabitation (Maharshal, Ramban). (50b)

INSIGHTS TO THE DAF

COMPLETING ONE'S LIFESPAN OR ADDING TO IT

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QUESTION: The Gemara (27b-28a) records a number of incidents wherein the Talmidim of a Tana or Amora asked their teacher how he merited living such a long life. In each case, the Tana or Amora answered by relating an act (or acts) of especially upright conduct which he practiced. In the middle of the Sugva, the Gemara relates that Rebbi Akiva once asked Rebbi Nechunva ha'Gadol how he merited to live so long. Rebbi Nechunya's attendants thought that Rebbi Akiva asked his question mockingly, as though he was upset that Rebbi Nechunya had lived so long, and they began to hit him. Rebbi Akiva escaped to the top of a tree from where he called to Rebbi Nechunya, "If the Torah says, '[You shall prepare] a lamb' (Bamidbar 28:4), then why does it add the word 'one (Keves Echad)'?"

Rebbi Nechunya understood from Rebbi Akiva's question that he was a genuine Talmid Chacham, and he ordered his attendants to leave Rebbi Akiva alone. Rebbi Akiva then answered his own question: the Torah adds the word "Echad" (one) to teach that the lamb must be the most special lamb of its flock.

Rebbi Nechunya informed Rebbi Akiva why he merited living so long. "I never accepted any presents, I never stood up for my due (to get back at someone who had wronged me), and I was forgoing with my money."

This incident needs clarification. Why were the attendants so upset with Rebbi Akiva's question to Rebbi Nechunya, and what did Rebbi

Nechunya see that changed his viewpoint about Rebbi Akiva's question?

ANSWER: RAV YAKOV D. HOMNICK (in MARBEH B'SIMCHAH on Maseches Megilah) explains as follows. The Gemara in Yevamos (49b) records a dispute among the Tana'im about the meaning of Hashem's blessing to His people, "The number of your days I shall fill" (Shemos 23:26). The Beraisa there says that the blessing refers to the days of a person's lifespan. Rebbi Akiva says that if a person is worthy, Hashem lets the person live his entire allotted time. If a person is unworthy, Hashem cuts his life short and takes him before his allotted time is completed. The Chachamim disagree and say that if a person is worthy, Hashem adds to his allotted time (and not that Hashem merely keeps the person alive for his allotted time). Since Rebbi Akiva is the minority opinion, the Halachah should follow the Chachamim.

For this reason, the attendants of Rebbi Nechunya became upset with Rebbi Akiva when he asked how their master merited living so long. Since his extra years were a blessing of addition to his allotted lifespan, it was not proper to speak about it openly because a "blessing [of addition] exists only upon something which is hidden from the eye" (Bava Metzia 42a). They feared that by revealing the extra years granted to Rebbi Nechunya and discussing why he was blessed, the blessing would become one that was no longer hidden and, as a result, cease to continue.

Rebbi Akiva, however, was acting according to his own opinion (in Yevamos) that when a person lives for a very long time, those years are not an addition to his allotted life but rather a blessing from Hashem to live out his allotted time (which, in Rebbi Nechunya's case, happened to be a very long time). Therefore, Rebbi Akiva wanted to know the proper manner of conduct which brings merit to complete one's allotted lifespan. Since that does not involve a blessing of extra, additional years, it is not subject to the requirement that it remain "hidden from the eye."

Rebbi Akiva conveyed his intention by hinting to the lamb of the Korban Tamid. One who consistently uses each day of his life to carry out Hashem's will -- thereby fulfilling his "daily obligation" like the Korban Tamid -- will merit living for his entire allotted lifespan.

Rebbi Akiva's intent is also evident in Rebbi Nechunya's response. When Rebbi Nechunya understood that Rebbi Akiva was asking how he managed to live for his allotted time (and not how he merited to have additional years added to his lifespan) he answered, "I never accepted any presents," meaning that he felt full and satisfied with his portion in life and needed nothing else. Measure for measure, he was awarded with the full portion of his lifespan. Similarly, "I never stood up for my due, and I was forgoing with my money" -- he trusted in Hashem to repay his due in full measure, for which he was rewarded with fully living out his allotted years.

This is the only incident of all of the incidents recorded by the Gemara which discusses the ways to merit fully living one's allotted lifespan, since the question in this incident was posed by Rebbi Akiva. All of the other cases are in accordance with the view of the Chachamim in Yevamos, and thus they discuss how to add to one's lifespan.

A remarkable support for this understanding can be found in the words of the MESILAS YESHARIM. The Mesilas Yesharim (ch. 19) writes that these stories teach how to act with the attribute of Chasidus (adding to the requirement of the law) for which one will be rewarded measure for measure by having more time added to his allotted lifespan. The Mesilas Yesharim cites a number of the stories mentioned in the Gemara before the incident with Rebbi Akiva and Rebbi Nechunya, and he also cites the story of Rebbi Zeira which follows the one with Rebbi Akiva. Why does he entirely omit the story of Rebbi Akiva?

According to the above approach, the reason for the omission is that the story of Rebbi Akiva does not demonstrate how to add to one's lifespan, but rather how to merit completing one's allotted time.

This explains why -- when Rebbi Nechunya said that he never accepted any presents -- the Gemara cites an example for this attribute from the conduct of Rebbi Zeira, who never accepted presents. In the very next case of the Gemara, however, Rebbi Zeira was asked how he merited livingso long. He answered with six reasons but he did not mention that he never accepted presents! It must be that the conduct of not accepting presents is a reason to have one's allotted time completed, but not a reason to have more years added, and thus Rebbi Zeira did not mention that attribute when he was asked how he merited having more time added to his life.

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