



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

The Mishnah had stated: Yochanan, the *Kohen Gadol*, abolished the recitation of the tithes. – What was the reason for this? Rabbi Yosi ben Chanina said: Because people were not presenting it according to the regulation; for the Merciful One said that they should give it to the Levites whereas we present it to the Kohanim.<sup>1</sup> Then let them make the confession over the other tithes! — Rish Lakish said: Any household which does not make the confession over maser rishon may not make it over the other tithes. For what reason? — Abaye said: Because Scripture deals with that first. This implies that they had separated it [before proceeding to the other tithes]. But surely it has been taught: He also annulled the confession and decreed in respect of demai; because he sent [inspectors] throughout the Israelite territory and discovered that they only separated terumah gedolah, but as for maser rishon and sheini,<sup>2</sup> some fulfilled the law while others did not. So he said to [the people], ‘My sons, come, I will tell you this. Just as in [the neglect] of terumah gedolah there is mortal sin, so with [the neglect] to present terumas maaser and with the use of untithed produce there is mortal sin’. He thus arose and decreed for them that whoever purchases produce from an Am

ha-aretz must separate maser rishon and maser sheini from it. From maser rishon he separates terumas maaser and gives it to a Koen, and as for maser sheini he should go up and eat it in Jerusalem. With regard to maser rishon and maser oni, whoever demands them from his neighbor has the onus of proving [that they had not been already apportioned]! - [Yochanan] made two decrees: he abolished the confession [over the presentation of maser rishon] in the case of the Chaverim<sup>3</sup> and decreed in regard to the demai<sup>4</sup> of the Am ha-aretz.<sup>5</sup> (47b – 48a)

#### **Complainers and Cutters**

The Mishnah had stated: And he as well abolished the complainers. - The *Gemora* asks: Who are the “complainers?” Rachavah answered: Every day the Levites would stand on the platform and say, “Wake up! Why should You sleep, Hashem?” He would say to them: “Does Hashem sleep? Doesn’t the verse say, “Behold, he will not sleep nor slumber, the Guardian of Israel?” Only when Bnei Yisroel are in pain and the nations of the world are at peace does the verse say, “Wake up! Why should you sleep, Hashem?”

<sup>1</sup> The Torah requires that the first tithes should be given to the Levites; but it is related in Gemora Yevamos 86b that because the Levites refused to join in the return from Babylon, Ezra punished them by having the tithes transferred to the Kohanim.

<sup>2</sup> The part which is separated in the first instance is terumah gedolah or offering for the Kohanim, to distinguish it from terumas maaser, i.e., the tenth part given by the Levite of the tithes he receives, to the Kohanim; then maser rishon is taken from the remainder for the Levites; after that maser sheini is removed to be eaten by the owner in Jerusalem; and each third year a tithes is allocated to the poor.

<sup>3</sup> The opposite of the Am ha-aretz. They were most scrupulous in the allocation of the tithes. The reason for his edict was, as stated, because the tithes was presented to a Kohen and not a Levite.

<sup>4</sup> Produce purchased from a farmer about which there is a doubt whether the tithes had been apportioned.

<sup>5</sup> Because he learned from his inspectors that the law was being neglected. It could therefore be safely assumed that the Am ha-aretz, were not observing it. Consequently, if one purchased their produce, he had the responsibility of apportioning the tithes.

The Mishnah had stated: [And he as well abolished] the strikers. The *Gemora* asks: Who are the “sikers?” Rav Yehudah said in the name of Shmuel: They would cut a calf between its eyes in order that blood should fall into its eyes (*and it would become easier to slaughter*). He stopped this, because it looked like they were making a blemish on the animal (*which would render it invalid to be brought as a sacrifice*).

It was taught in a *Baraisa*: They would hit it with sticks, just as is done with sacrifices brought before idols. He asked them: Until when are you going to bring animals that are not killed via slaughtering as sacrifices on the altar?

The *Gemora* asks: How could he say this? They slaughtered the animals! The *Gemora* answers: Rather, he said that they were bringing animals that are too sick to be kosher, as he suspected that they were causing a puncture in the covering of the brain (*rendering the animal unkosher as a “tereifah” even if it would be slaughtered properly*). He therefore instituted that they should have rings on the ground (*of the courtyard of the Beis Hamikdash that would hold the animal in place during slaughtering*).

The Mishnah had stated: Until his days, a hammer would hit in Yerushalayim. The *Gemora* explains that this refers to Chol HaMoed (*the intermediary days between the first and last day of Sukkos and Pesach*).

The Mishnah had stated: All of his days no one had to ask about *demai*. The *Gemora* states: As was stated previously. (48a)

### **Mishnah**

When the *Sanhedrin* stopped functioning, “song” stopped from the places of parties, as the verse states, “In song they should not drink wine.” When the first prophets died, the Urim V’Tumim (*names of Hashem written and*

*inserted in the breastplate of the High Priest*) stopped. When the Beis Hamikdash was destroyed, the special carving worm stopped, the “nofes tzufim” stopped (*see Gemora later*), and the ones who completely believed in Hashem stopped. This is as the verse states, “Hashem, save, for there is no more pious one etc.” Rabban Shimon ben Gamliel quoted Rabbi Yehoshua as testifying: From the day that the Beis Hamikdash was destroyed, there is no day without a curse, dew does not fall down as a blessing and the taste of fruit was taken away. Rabbi Yosi says: Even the richness of the fruit was taken away. Rabbi Shimon ben Elozar says: The purity took away the smell; the tithes took away the richness of the grains. The *Chachamim* say: Promiscuity and witchcraft took away everything. (48a)

### **Song**

The *Gemora* asks: How do we know that this verse (*about song*) is referring to when the *Sanhedrin* stopped?

Rav Huna the son of Rabbi Yehoshua, stated: The verse says, “Elders from their gate stopped, boys from their singing.”

Rav says: An ear that hears song should be taken away. Rava says: Song in a house means death by sword, as the verse states, “The voice of a singer in the window, sword in the doorway, for “*arzah arah*” – “its cedar is a city.” What does this last phrase mean? Rabbi Yitzchak says: It can’t mean a city, as a cedar house is not a city! Rather, it means that a cedar house will become uprooted.

Rav Ashi says: We see from here that destruction starts, it starts with the sword, as the verse states, “sword in the doorway.” Some say this is derived from the verse, “And an empty place will hit the gate.”

Mar bar Rav Ashi says: I saw him (*a demon*), and he gored like an ox.

Rav Huna says: The songs of sailors and people who plow with oxen is permitted (*the purpose is for relaxation*), but that of weavers is forbidden (*it is only for the sake of frivolity*).

Rav Huna issued a decree against song. Afterwards, one hundred geese were being sold for a zuz and one hundred *se'ah* (*large measurement*) of wheat were sold for a zuz, and people did not want to buy them. Rav Chisda came and did not protest their singer, and afterward tried to find a goose for one zuz but he could not find one (*so cheap*).

Rav Yosef says: If men sing and women answer them (*in song*), it is promiscuous behavior. If women sing and the men answer them, it is like a fire burning (*the men's evil inclination*). What is the difference what they are compared to? It is in order to stop one of them (*if they will not agree to stop both, better to stop the latter*).

Rabbi Yochanan says: Whoever drinks wine with four types of song, brings five types of punishment to the world. This is as the verse states, "Woe, ones who wake up early, they will chase beer in the morning, and they drink wine at night that lights their fire (*of their evil inclination*) along with two kinds of harps, drums, and flutes, they drink their wine and the workings of Hashem they do not see." What does the verse say afterwards? "Therefore my nation has been exiled without knowledge." This is because they cause exile to the world. "And his honor with those who die from starvation," refers to the fact that they bring starvation to the world. "And his masses die from thirst," means that they cause Torah to be forgotten from those who learn it. "And man is bent over, and a man is humbled." This means that they cause humbleness to the enemy of Hashem, as Hashem is called a man. This is evident from the verse, "Hashem is a man of war." "And the eyes of the haughty will be lowered." This refers to them causing Bnei Yisroel to be lowered. What does the verse say afterwards?

"Therefore Gehinom widened its soul and opened its mouth without boundary, and its (*Bnei Yisroel's*) glory, and masses, and (*Gehinom is as if*) it rejoiced in her (*Bnei Yisroel*). (48a – 48b)

### **Prophets**

The Mishnah had stated: When the first prophets had died: - The *Gemora* asks: Who are the first prophets referred to in our Mishnah? Rav Huna says: This refers to David, Shmuel, and Shaul. Rav Nachman says: In the days of David, sometimes they were answered (*by the Urim v'Tumim*) and sometimes not. For Tzadok asked and he was answered, while Evyasar asked and was not answered. This is as it says, "And Evyasar went up."

Rabbah bar Shmuel asked: "And he sought out God all the days of Zecharyahu who understood seeing the vision of God." This seems to be talking about the Urim v'Tumim (*and this was long after Shlomo*). No, it was referring to his prophecy.

The *Gemora* challenges this from a *Baraisa*. The *Baraisa* states: When the first Beis HaMikdash was destroyed, the open-space cities (*given to the Levites*) stopped. The Urim v'Tumim stopped and the kingdom of David stopped. If someone will whisper to you, doesn't the verse say, "And Hatrashta said to them who do not eat from the Kodshei Kodoshim until a Kohen will stand to be with the Urim v'Tumim?" [*Doesn't this imply that it existed in the second Beis HaMikdash?*] Answer him, this is like someone saying until the dead will rise and Moshiach will come! [*This implies that the Urim v'Tumim were extant during the entire period of the first Beis HaMikdash, not as stated above.*]

Rather, Rav Nachman bar Yitzchak says: Who are the first prophets? It is everyone before Chagai, Zecharyah, and Malachi, who were the last prophets. This is as the *Baraisa* states: The *Gemora* cites a *Baraisa*: When Chaggai, Zecharyah, and Malachi, the latter prophets,

died (*at the beginning of the second Beis Hamikdash*), the Divine Spirit left the Jewish people. Even so, they would use a Heavenly voice. This is evident from an incident where they were sitting in the attic of Guryah's house in Yericho, and a Heavenly voice came out and said: There is someone amongst you who is worthy to have the Divine Spirit settle on him, but his generation is not worthy to have this happen. They all set their eyes on Hillel the Elder (*realizing that he was the one*). When he died, they eulogized him: What a pious one, what a humble one, disciple of Ezra. A similar incident happened later in an attic in Yavneh, and they all set their eyes on Shmuel Hakatan. When he died, they eulogized him: What a pious one, what a humble one, disciple of Hillel the Elder. Even he said when he died: Shimon and Yishmael will be killed by the sword, and their friends will be killed other ways, and the rest of the nation will be plundered, and other tragedies will befall the nation. Even regarding Yehudah ben Bava, people wanted to eulogize this way, but they did not have the opportunity, as we do not eulogize those killed by the government (*out of fear from the king*). (48b)

### **Shamir**

The Mishnah had stated: When the Beis Hamikdash was destroyed, the special carving worm stopped. - The *Baraisa* states: The *shamir* was the worm used by Shlomo for building the Beis HaMikdash. This is as the verse states, "And the building when it was built was made out of whole transported stone." Rabbi Yehudah says: This is to be taken literally. Rabbi Nechemyah said to him: How can this be? Doesn't the verse state: "All of these precious stones...smoothed with a plane?" How can we reconcile this with the previous verse? The *Gemora* answers: They would get it ready outside and then transport it inside.

Rebbe states: Rabbi Yehudah's words seem correct regarding the stones used for building the temple, while Rabbi Nechemyah's words seem correct regarding the building of Shlomo's house.

The *Gemora* asks: According to Rabbi Nechemyah, why was the carving worm necessary? It was necessary for the subject of the following *Baraisa*. The *Baraisa* states: These stones are not written with ink, as it says, "They were etched and sealed." They could not be etched with a knife, as they had to be as the verse states, "in their entirety." Rather, they had the ink written on top of them, and the carving worm would go on top of it and they would sink in of their own, like a fig that splits in the summer but does not lose any of its mass, and like a valley that deepens in rainy season and does not lose mass.

The *Baraisa* states: This carving worm is created the size of a barleycorn, and was created from the original six days of creation, and nothing hard can stand before it. How is it preserved? One wraps it in sponges of wool, and it is placed in a wax container filled with barley fibers. (48b)

### **Things that Disappeared**

Rabbi Ami says: When the first Beis HaMikdash was destroyed, fine silk and white glass was destroyed. The *Baraisa* also states this: fine silk, white glass, and vehicles of metal. Some say: Also the hardened wine from Senir that looked like fig cakes. (48b)

### **Honey**

The Mishnah had stated: [When the Beis Hamikdash was destroyed, the special carving worm and] the "nofes tzufim" stopped. - The *Gemora* asks: What is "nofes tzufim"? Rav says: It is the flour that sits on top of the sifter that looks like a dough made with oil and honey. Levi says: This is two loaves stuck to the oven that blew up so large they touch each other. Rabbi Yehoshua ben Levi says: This is honey from the mountains. How do we know about honey being from mountains? Rav Sheishes translated (*the verse "ka'asher tasena ha'devorim"*): When the bees fly in the heights of the world and bring honey from the grass of the mountains.

We learned the following in a *Mishnah*. Whatever is poured from one vessel to another (*the contents of the first vessel*) remains pure (*even if the contents of the second vessel are impure*), besides “Dvash Zifim” and honey with beeswax.

The *Gemora* asks: What does “Dvash Zifim” mean? Rabbi Yochanan says: It is honey that is forged because it is so rich, that it can be easily diluted without anyone knowing. Reish Lakish says: It is actually honey from a place called “Zif,” as the verse tells us there is such a place when it says, “Zif, Tlam, and Bi’alos.” Similarly, we find the verse says, “When the Zifim came and they told Shaul, wasn’t David etc.”

The *Gemora* asks: What are “Zifim (*in this last verse*)?” Rabbi Yochanan says: Liars. Rabbi Elazar says: People from Zif, as the verse states, “Zif, Tlem, and Bi’alos.” (48b)

The *Mishnah* had stated: And men of faith disappeared. Rabbi Yitzchak said: These are men who had faith in the Holy

One, Blessed be He. For it has been taught: Rabbi Eliezer the Great said: Whoever has a piece of bread in his basket and says, “What shall I eat tomorrow?” belongs only to they who are little in faith. And that is what Rabbi Elazar said: What means that which is written: For who has despised the day of small things? [It signifies,] What is the cause that the tables of the righteous are despoiled in the future world? The smallness [of faith] which was in them, that they did not trust in the Holy One, Blessed be He. Rava said: They are the little ones among the children of the wicked of Israel who despoil the verdict upon their fathers in the future world, saying before Him, “Master of the Universe! Since You are about to exact punishment of them, why have You blunted their teeth?” (48b – 49a)

## INSIGHTS TO THE DAF

### ***Tereifah on the Mizbe’ach***

The *Gemora* asks: Who are the “strickers?” Rav Yehudah said in the name of Shmuel: They would cut a calf between its eyes in order that blood should fall into its eyes (*and it would become easier to slaughter*). He stopped this, because it looked like they were making a blemish on the animal (*which would render it invalid to be brought as a sacrifice*).

The *Baraisa* taught: They would hit it with sticks, just as is done with sacrifices brought before idols. He asked them: Until when are you going to bring animals that are not killed via slaughtering (*neveilah*) as sacrifices on the altar?

The *Gemora* asks: How could he say this? They slaughtered the animals! The *Gemora* answers: Rather, he said that they were bringing animals that are too sick to be kosher, as he suspected that they were causing a puncture in the covering of the brain (*rendering the animal unkosher as a “tereifah” even if it would be slaughtered properly*). He therefore instituted that they should have rings on the ground (*of the courtyard of the Beis HaMikdash that would hold the animal in place during slaughtering*).

The Maharsham in Daas Torah asks: Since they knew where the animal was hit, why couldn’t they check to see if the animal was a *tereifah* or not?

The Minchas Keneos answers: It is forbidden to slaughter an animal which is a *tereifah* in the Beis HaMikdash because the Rabbis placed a *tumah* on a *kodoshim* animal which is a *tereifah* (*and therefore it would help finding out afterwards that it was indeed a tereifah*).

Furthermore, he states that we are concerned that when they hit the *korban* with a stick, it is regarded as if they were destroying *kodoshim* with their hands (*if it becomes*



a *tereifah*), and therefore they instituted that it shouldn't be hit at all.

Dayan Weiss, in *Minchas Yitzchak* answers that since this procedure was constantly done, it was impossible to institute that the animal should always be checked afterwards to see if it became a *tereifah*. There is a grave concern that sometimes, they will forget.

The Avnei Neizer writes that in the *Beis HaMikdash*, they never examined the animal to see if it was a *tereifah*, for anytime an uncertainty arose in the *Beis HaMikdash* regarding the kashrus of a *korban*, they would not offer it as a *korban*. This is based upon the *passuk: Hakrivehu na l'phechasecha*.

According to this answer, we could explain why the *Gemora* states that the concern was that a *tereifah* will be brought on the *mizbe'ach*. Shouldn't we be concerned that they will be eating from an animal which is a *tereifah*? The answer could be that for that, they could have checked, but for what is going to be brought on the *mizbe'ach*, they were not allowed to check, and that was the primary concern.

## DAILY MASHAL

### Singing Parrots

The *Gemara* (Bava Kamma 80a) states that one should not raise small wild animals in Eretz Yisroel, for fear they may ruin cultivated fields. However, R' Yishmael says that one may raise dogs, cats, monkeys and weasels because they are used to rid the house of mice. Thus, one may busy oneself with pets/animals if they serve a purpose. However, our *Gemara* states that to keep a singing bird in one's house is to invite destruction into the house (which may have been due to the post-Churban singing). In fact, the *Midrash* (Koheles 6:11) construes the verse: *many things increase nonsense*, as referring to those who raise

dogs, cats, monkeys and weasels (which might only refer to serious raising).

The *Sefer Chasidim* (666) derives from the verse criticizing Bilaam for hitting his donkey, that causing pain to animals violates Torah law. The *Pele Yoaitz* (2) cites the Ari Z"l who related that a woman's children died because she unwittingly removed a basket in her back yard, that baby birds had been using, which caused them pain. For this reason, the *Pele Yoaitz* advises one not to raise animals, in order to avoid the dangers that its difficulties will be sure to cause. Since the *Issur* of causing *Tzaar Baalei Chayim* is thus derived from the angel's criticism of Bilaam, it would seem to apply to gentiles as well as Jews.

The *Gemara* (Bava Metzia 30b) says that R' Yishmael, when asked to help load a bundle of wood onto a man's back, chose instead to buy the wood from him and render it ownerless, so as not to engage in an undignified activity. The *Rashba* (1:252) derives from here that causing *Tzaar* to human beings (by just refusing to help) is also included in the prohibition against causing *Tzaar Baalei Chayim*.

The *Ateres Paz* concludes as a result, that gentiles are also prohibited from causing themselves pain, under the prohibition of *Tzaar Baalei Chayim*.