



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

**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

**Charity**

The *Gemara* cites a *Baraisa*: It was related of Binyamin the Righteous who was a supervisor of the charity fund. One day a woman came to him in a year of famine, and said to him, “Master, please assist me.” He replied, “I swear by the service in the Holy Temple that there is nothing in the charity fund.” She said, “Master, if you do not assist me, a woman and her seven children will perish.” He accordingly assisted her out of his own funds. Sometime afterwards he became deathly ill. The angels addressed the Holy One, Blessed be He, saying, “Master of the Universe, You have said that he who preserves one soul of Israel is considered as if he had preserved the entire world; shall then Binyamin the Righteous who has preserved a woman and her seven children die at such an early age?” Immediately, his decree was torn up. It has been taught that twenty-two years were added to his life.

It was taught in a *Baraisa*: It is related of King Munbaz that he dissipated all his own treasuries and the treasuries of his fathers in years of famine (*to feed the poor*). His brothers and his father’s household came in a band against him and said to him, “Your father saved money and added to the treasuries of his fathers, and you are expending them!” He replied, “My fathers stored up below (*on earth*), and I am storing above (*in Heaven*), as it is stated: Truth springs out of the earth and charity looks down from heaven. My fathers stored in a place in an insecure place (which can be controlled by others), but I have stored in a secure place (which cannot be controlled by others), as it is stated: Charity and judgment are the foundation of His throne. My fathers stored something which produces no fruits, but I have stored something which does produce fruits, as it is

stated: Say of the righteous man that it shall be well with them, for they shall eat the fruit of their deeds. My fathers gathered treasures of money, but I have gathered treasures of souls, as it is stated: The fruit of the righteous is a tree of life, and he that is wise acquires souls. My fathers gathered for others to use, and I have gathered for myself, as it is stated: And for you it shall be charity. My fathers gathered for this world, but I have gathered for the World to Come, as it is stated: And your charity shall go before you, and the glory of God shall be your reward.” (11a1 – 11a2)

**Resident of the City**

The *Mishnah* had stated: If he has bought a house in the city, he is regarded as a citizen of that city (*and must contribute to the expenses of the municipality*).

The *Gemara* notes: The *Mishnah* is not in agreement with Rabban Shimon ben Gamliel, since it has been taught in the following *Baraisa*: Rabban Shimon ben Gamliel says: If he acquires even a very small piece of property in it (*even if he has not bought a house*), he is reckoned as a citizen of that city.

The *Gemara* asks: But has it not been taught in a different *Baraisa* where Rabban Shimon ben Gamliel said that if he acquires in it a piece of ground on which a house can be built, he is reckoned as a citizen of that city? [*Evidently, it must be larger than a small parcel of land!?*]

The *Gemara* answers: Two *Tannaim* have reported the rulings of Rabban Shimon ben Gamliel differently. (11a2)

**Mishnah**



A courtyard is not required to be divided (*on the demand of one of its owners*) unless it is large enough to allow four *amos* for each partner. A grain field is not divided unless there are nine *kavs* for this one and nine *kavs* for this one. Rabbi Yehudah says: Unless there are nine half-*kavs* for this one and nine half-*kavs* for this one. A vegetable garden is not divided unless there is a half-*kav* for this one and a half-*kav* for this one. Rabbi Akiva says: A quarter-*kav* is enough.

A salon, a hall, a dovecote, a cloak, a bathhouse, an olive press, an irrigated field is not divided unless there is enough for this one and for this one. This is the general rule: Whatever can be divided and still retain its name may be divided (*by force*), and if not, it is not divided. When is this so? It is when they do not both agree, but if they both agree, even less than this amount may be divided.

In the case of Holy Scriptures, even if both agree, they may not divide (*for it is dishonorable*). (11a3)

### **Extra Four Amos for Loading**

Rav Assi said in the name of Rabbi Yochanan: The four *amos* of the courtyard mentioned in the *Mishnah* excludes the space in front of the doors. [*An additional space of four amos was allowed in front of the entrance for unloading his animals.*]

The *Gemara* cites a supporting *Baraisa*: A courtyard should not be divided unless eight *amos* will be left for each partner. - But have we not learned in the *Mishnah* that four *amos* is sufficient? The fact that the *Baraisa* says eight demonstrates that we must interpret the *Mishnah* as Rav Assi does.

There were some who cited this discussion in the form of a contradiction: We learned in our *Mishnah*: A courtyard is not required to be divided (*on the demand of one of its owners*) unless it is large enough to allow four *amos* for each partner. But it has been taught in a *Baraisa*: Unless there are eight *amos* for each?

Rav Assi answered in the name of Rabbi Yochanan: The four *amos* of the courtyard mentioned in the *Mishnah* excludes the space in front of the doors. (11a3)

Rav Huna said: Each party takes a share in the courtyard proportionate to the number of his entrances. [*A father had a courtyard with two houses. One house had two doors opening to the courtyard and the other had only one door. The father had stated that one house should belong to one brother, and one house to the other brother. He did not stipulate anything regarding the courtyard. If the brothers decide to divide the courtyard, Rav Huna maintains that the former takes two-thirds of the courtyard and the latter one-third.*] Rav Chisda, however, says that four *amos* are awarded for each door and the remainder is divided equally.

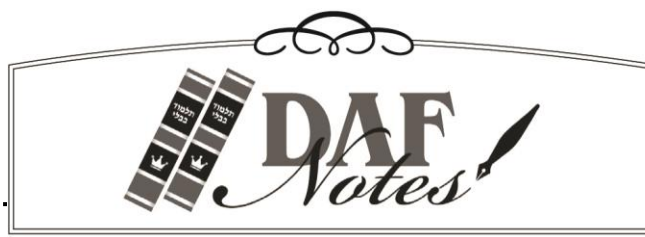
The *Gemara* cites a *Baraisa* which is in agreement with Rav Chisda: Entrances to the courtyard carry with them a space of four *amos*. If one of the owners has one entrance and the other two entrances, the one who has one entrance takes four *amos* and the one who has two entrances takes eight *amos*, and the remainder is divided equally.

The *Baraisa* continues: If one has an entrance eight *amos* wide, he takes eight *amos* facing his door and four *amos* in the courtyard.

The *Gemara* asks: What is the purpose of these four *amos*?

Abaye answered: The *Baraisa* means as follows: He takes eight *amos* in the length of the courtyard (*by the entrance*) and four in the width of the courtyard.

Ameimar said: A pit for holding date stones (*used for animal feed*) carries with it four *amos* on every side (*so he can deposit the stones into the pit*). This is the case, however, only if he has no special door from which he goes (*from the house*) to it (*for then, he will come from every direction*), but if he has a special door designated for reaching it, he is only awarded four *amos* in front of his door. (11a3 – 11b1)



Rav Huna said: A pavilion (*which has a roof, but no walls*) is not entitled to the four *amos*. For why are the four *amos* ordinarily allowed? It is to provide space for the owner to unload his animals. Here, he can go inside it and unload there (*for since it is opened, no furniture is placed there*).

Rav Sheishes asked from the following *Baraisa*: The gates of houses and pavilions are entitled to the four *amos*!?

The *Gemara* answers: That was taught in reference to the pavilion of an academy (*which had walls and was completely enclosed; since furniture was kept there, one could not bring animals there; it was called a pavilion because it had windows*).

The *Gemara* asks: Regarding the pavilion of the academy, is the *halachah* there not obvious – it is a regular room!?

The *Gemara* answers: It is referring to a Roman pavilion (*which had low walls that did not reach the roof*).

Our Rabbis taught in a *Baraisa*: A porch, a pavilion and a [staircase leading to a balcony] carry with them four *amos* (for unloading – if it is divided). If there are five rooms opening on to the balcony, they carry with them only four *amos* between them. (11b1)

Rabbi Yochanan inquired of Rabbi Yannai: Is a chicken coop entitled to the four *amos* or not.

He replied: Why are the four *amos* ordinarily awarded? It is to provide room for a man to unload his animal. Here, the chickens can climb up the wall to get out and slide down the wall to get in.

Rava inquired of Rav Nachman: If a building is half covered with a roof and half not, is it entitled to the four *amos* or not?

He replied: It does not have four *amos*. If the roof is over the inner part, this goes without saying, since it is possible for him to go into the uncovered room and unload. But even if the roof is over the outer part, it is still possible for him to go into the inner part and unload there. (11b1 – 11b2)

### ***Rights in a Mavoi***

Rav Huna inquired of Rav Ami: If a man residing in one *mavoi* (*alleyway; generally, it leads from a courtyard into the public domain*) desires to open an entrance to another alleyway (*his house was between two mavois, and he decided to switch his entrance from one mavoi to another*), can the residents of this *mavoi* prevent him or not?

He replied: They can prevent him (*for because of this entrance, there will be an increase in traffic*).

He then inquired: Are soldiers billeted per capita<sup>1</sup> or [on each one] according to the number of entrances? He replied: Per capita. It has been taught in a *Baraisa* to the same effect: The fertilizer in the courtyard is divided according to entrances [belonging to each resident], billeted troops per capita. (11b2)

Rav Huna said: If one of the residents of a *mavoi* desires to fence in the (*four amos*) space facing his entrance, the others can prevent him, on the ground that they will be forced to walk extra (*around his walls; he has a right to unload there, but it is not his personal space to do as he pleases*).

The *Gemara* asks from the following *Baraisa* (*where we see that only certain residents of the mavoi can deny him this right*): If five courtyards open to a *mavoi* (*opened to a public domain on the outside, and closed on the inside*), all the inner ones share with the outside one the use of the part facing it (*the outermost courtyard; this is because they need this*).

<sup>1</sup> I.e., if a certain number are billeted on a courtyard, are they distributed equally among all the residents of the courtyard.

space in order to reach the public road), but the outside one can use that part only (for there is no reason for him to go further inside). The others (all of them besides the one on the outside) share with the second, but the second has the use only of the part facing itself and the outside one. It emerges that the innermost one has sole use of the part facing itself and shares with all the others the use of the part facing them!? [Evidently, not everyone in the mavoi has the same rights as the other!?!]

The Gemara answers that this is a matter of dispute amongst the Tannaim, for it has been taught in a Baraisa: If one of the residents of a mavoi desires to open an entrance to another mavoi, the residents of that mavoi can prevent him (for it will increase the traffic). If, however, he only desires to reopen there one which had been sealed, they cannot prevent him (since he originally had that right). These are the words of Rebbe. Rabban Shimon ben Gamliel says: If there are five courtyards opening to a mavoi, they all share the use of it together.

The Gemara asks: Why did Rabban Shimon ben Gamliel mention courtyards (something that Rebbe was not referring to)? The Gemara answers: It is as if there were some words missing, and it should say as follows: And similarly, if there are five courtyards open to a mavoi, all the inner ones share with the outside one the use of the part facing it, but the outside one can use that part only etc. These are the words of Rebbe. Rabban Shimon ben Gamliel says: If there are five courtyards opening to a mavoi, they all share the use of it together. (11b3 – 11b4)

#### DAILY MASHAL

##### **Adding Years to Someone's Life**

The Gemara cites a Baraisa: It was related of Binyamin the Righteous who was a supervisor of the charity fund. One day a woman came to him in a year of famine, and said to him, "Master, please assist me." He replied, "I swear by the service in the Holy Temple that there is nothing in the charity fund." She said, "Master, if you do not assist me, a woman

and her seven children will perish." He accordingly assisted her out of his own funds. Sometime afterwards he became deathly ill. The angels addressed the Holy One, Blessed be He, saying, "Master of the Universe, You have said that he who preserves one soul of Israel is considered as if he had preserved the entire world; shall then Binyamin the Righteous who has preserved a woman and her seven children die at such an early age?" Immediately, his decree was torn up. It has been taught that twenty-two years were added to his life.

The Metzudas David asks that this seems to contradict Rabbi Akiva's opinion in Yevamos (49b), where the Gemara states: *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. Evidently, he holds that Hashem completes his years, but He does not add to them!?

He answers according to that which Tosfos writes there: Rabbi Akiva holds 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. Hashem does not add years to a person's lifetime. That is only with respect to his own years. However, if years are deducted from another person's life, those years can be added to someone else, provided that he deserves it.

Accordingly, it can be said that the twenty-two years which were added to Binyamin the Righteous' lifetime, were in fact years that were deducted from others. And because Binyamin was so deserving, those years were added to his life.

##### **The Origin of Monbaz's Name**

The Gemara relates that King Monbaz used funds from his treasury to feed the people during years of drought. According to the *Ben Yehoyada'*, he was called Monbaz in appreciation for his deeds: *mamon baz* – "he scattered money".