

OVERVIEW of the Daf

1) Marking graves (cont.)

An alternative resolution is presented to the challenge against R' Pappa's assertion that it is not necessary to mark a field in which a grave was plowed over.

Abaye infers from the previously cited Baraisa that city matters are the responsibility of the young Torah scholars.

R' Yehudah explains how to interpret the presence of grave markings. The last ruling regarding markings between two stones is unsuccessfully challenged.

R' Assi presents additional rulings related to grave markings.

2) Inspecting for kilayim

The Mishnah's ruling that inspectors go out during Chol Hamoed Pesach to inspect for kilayim is challenged from a Mishnah in Shekalim which indicates a different time that inspectors would be sent out to inspect for kilayim.

R' Elazar and R' Yosi bar Chanina offer different resolutions to this contradiction. R' Assi in the name of R' Yochanan qualifies this ruling to cases where the sprouts are not recognizable earlier, but if they are, agents go out immediately.

R' Yaakov in the name of R' Yochanan explains why the agents go out during Chol Hamoed rather than before or after the Yom Tov.

R' Zavid or R' Mesharshiya infer from this that the inspectors are paid from Beis HaMikdash funds. R' Shmuel bar Yitzchok suggests an amount of kilayim that agents are required to uproot.

R' Shmuel bar Yitzchok's suggestion is unsuccessfully challenged.

3) **MISHNAH:** The Mishnah presents a discussion regarding drawing water from one tree to another and watering plants that were not watered before Yom Tov.

4) Clarifying R' Eliezer ben Yaakov's opinion

R' Yehudah states that according to R' Eliezer ben Yaakov one would be permitted to draw water to an entire field if it was moist, but then dried up. A Baraisa is cited that supports this ruling.

5) Sprinkling a grain field

A contradiction is noted between two Baraisos regarding the permissibility to sprinkle grain fields during Chol Hamoed.

R' Huna resolves the contradiction.

Another related Baraisa is recorded.

6) **MISHNAH:** The Mishnah discusses different melachos and when they must be performed in an unusual fashion.

7) אישות

R' Yehudah identifies the אישות as a creature without eyes.

A pasuk is cited that supports this definition.

A related Baraisa is recorded.

The Gemara qualifies the method of destroying ant hills described in the Baraisa. ■

Distinctive INSIGHT

Trapping rodents from the field on Shemittah

צדין את האישות וכו' במועד ובשבועית

Our text in the Mishnah lists together the law of trapping rodents and pests from an orchard and a grain field on Chol Hamoed and Shemittah. Accordingly, Rabbi Yehuda does not allow trapping during Shemittah unless it is done in an unusual manner. Sefer חלקת בנימין asks why trapping in an unusual manner should be a consideration for leniency on Shemittah. If this is a prohibited activity on Chol Hamoed, doing so in a curtailed manner is a reason for leniency, as this often indicates less of an effort than the standard procedure (למעט בטירחא). However, for Shemittah, the amount of effort is not a factor when an agricultural labor is involved.

Rashi (3a) and Ritva (2a) seem to suggest that excessive effort is a factor for Shemittah, just as we find by Chol Hamoed. According to them, it would be permitted on Shemittah to trap in an unusual manner, which entails less effort than the normal manner. But, according to all other Rishonim, why should the Mishnah allow this on Shemittah?

Furthermore, Tosafos Yom Tov explains that Rambam does

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REVIEW and Remember

1. How did Abaye infer that communal matters are the responsibility of the young scholars?
2. Why did agents go to search for kilayim specifically during Chol HaMoed?
3. Why, according to R' Eliezer ben Yaakov, is it prohibited to water plants that weren't watered regularly before Yom Tov?
4. What is the effective method of destroying ant holes?

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HALACHAH Highlight

Watering a field by computer during Shemittah

ת"ר מרביצין שדה לבן בשביעית אבל לא במועד

The Rabbis taught: We may sprinkle a grain field during Shemittah but not during Chol Hamoed.

Is it permitted to set a timer before the Shemittah year begins to water a field during Shemittah? Rav Shmuel HaLevi Vosner¹, regarding a related question, cites a Baraisa recorded in Masseches Shabbos² which states that it is permitted to open a water channel from a spring to a garden before Shabbos and allow it to water the garden the entire Shabbos. The reason this is permitted is that the prohibition against performing melachah on Shabbos is derived from the words, "do not perform any work." This language places the restriction on the person (גברא) and the prohibition is that he may not do melachah on Shabbos. However, melachah may be done as long as it does not involve his activity. Therefore, it is permitted to turn on a sprinkler and allow it to run on Shabbos since the activity was performed before Shabbos³.

The restrictions of Shemittah, on the other hand, are different. In addition to the prohibition against working the land the Torah also writes that the land should rest for Hashem, ושבתה⁴ הארץ שבת לה⁵. The Minchas Chinuch⁵ proves from a number of Rishonim that the mitzvah of Shemittah and its restrictions are on the land (חפצא) rather than on the person. In other words, the obligation is that the land should be allowed to rest during the Shemittah and there is no difference whether the initial activity was performed before or during Shemittah. If the result is that the land does not rest, the mitzvah is not fulfilled. We thus

(Insight. Continued from page 1)

not have "Shemittah" in the text of the Mishnah. The law only allows trapping on Chol Hamoed, and Rabbi Yehuda's leniency is not discussed in terms of Shemittah at all. Here, again, our question is avoided. How are we to understand those who do include the law which allows trapping on Shemittah only in an unusual manner?

ר' explains that the Mishnah may be read and understood in a novel way. Tanna Kamma states that trapping may take place in a normal manner both on Chol Hamoed as well as on Shemittah. When Rabbi Yehuda responds and argues that trapping may only be done in an abnormal manner, he was not disputing the law how to trap in all cases, but only in the one category of Chol Hamoed. In other words, all agree that this is not an agricultural improvement in the land itself, and it is therefore permitted outright on Shemittah. It is the law of Chol Hamoed that Rabbi Yehuda addresses, and it is here that he qualifies that the trapping must be done in an unusual manner, one which entails less effort than usual. ■

see that Shemittah is fundamentally different from Shabbos. Although it is permitted to turn on a sprinkler and allow it to run on Shabbos, it is not permitted to set a timer to water a field or begin any other process before Shemittah that will continue during Shemittah in violation of the obligation to allow the land to rest. ■

1. שו"ת שבט הלוי ח"י סי' רי.
2. גמי שבת יח.
3. ספר ברית עולם זורע אות ח' בשם החזו"א ומובא דבריו בספר פסקי תשובות סי' רנ"ב אות ד'.
4. ויקרא כ"ה ב.
5. מנחת חינוך מצוה קי"ב. ■

STORIES Off the Daf

The Community's Needs

צורבא מרבנן דאיכא במתא כל מיילי דמתא עליה רמיא

Our Gemara tells that when there is a talmid chacham in the city, he attends to all of the various spiritual needs of the community.

Rav Shach, zt"l, was a very beloved Gadol who was available for anyone who wished to consult with him on any matter. He would always go above and beyond what any other person would consider his duty to the kahal.

Not surprisingly, he received hundreds of visitors every Chol HaMoed. Many were former students who felt that they owed all

their Torah to Rav Shach. Others simply wanted to see the Gadol or ask his advice.

One Chol HaMoed, the Rav of a certain city in Israel came to visit.

"How are things going in your shtetler?" asked Rav Shach.

"Not so good," was the dismal response.

"What's the problem?"

"The mikveh is broken and the local branch of the Ministry of Religion is not bothering to fix it," answered the visitor.

"Maybe you should build a private mikveh?" Rav Shach suggested.

As he said this, Rav Shach placed a huge sum of money on the table. It would have been more than adequate to cover the cost of such a project.

"I am not the kind of person who can oversee a big project like that," demurred

the visitor. Rav Shach had no response to this.

The Rav wished Rav Shach well and took his leave.

The next day, the head of the Religious Council in the area started getting calls from well known askanim inquiring why the mikveh had not been fixed. At first, this puzzled the official; although the mikveh had been out of repair for a while, he had not yet heard one complaint from someone out of his area.

One of the askanim blurted out, "I'm calling because Rav Shach charged me with getting it repaired as a personal favor to him. And if you think I'm going to take no for an answer, you are completely wrong!"

That very day the funds to fix the mikveh were found and repairs began immediately. ■