

This month's Daf Digest is dedicated in loving memory of
שרגא פיינול דוד בן קמואל
The Abramowitz family

OVERVIEW of the Daf

- 1) **MISHNAH:** The Mishnah presents the halachos of one who vows from entering a house or an attic.
- 2) **The dispute between R' Meir and Rabanan**
A Baraisa discussing tzara'as of a house infers from a pasuk that the attic is treated the same as the house.
R' Chisda concludes that the Baraisa reflects the position of R' Meir.
Abaye demonstrates how the Baraisa could even reflect the position of Rabanan.
A teaching is cited in the name of Ulla and the Gemara wonders whether it is consistent with R' Meir or Rabanan.
The Gemara demonstrates that although it could obviously follow the opinion of R' Meir it could even represent the opinion of Rabanan.
- 3) **MISHNAH:** The Mishnah presents a discussion about one who makes a vow to abstain from a **מטה** or **דרגש**.
- 4) **דרגש**
Ulla suggests a definition of the term **דרגש**.
This explanation is unsuccessfully challenged.
Another unsuccessful challenge is presented against Ulla's explanation.
On the third try the Gemara successfully refutes Ulla's explanation.
Ravin in the name of R' Tachlifa offers an alternative explanation of the term **דרגש**.
A statement of R' Yirmiyah seems to support this explanation.
R' Yirmiyah's description of a bed is successfully challenged and an alternative distinction between a **מטה** and a **דרגש** is suggested.
Rebbi's ruling concerning a different type of bed is cited.
R' Yehoshua ben Levi rules in accordance with R' Shimon ben Gamliel related to a mourner's use of a **דרגש**.
- 5) **MISHNAH:** The Mishnah records the halachos related to one who vowed against entering a city or a house.
- 6) **The extension of a town**
R' Yochanan suggests a source for the principle that the extension of a town is considered equivalent to the town. This explanation is unsuccessfully challenged.
- 7) **The doorframe**
The Mishnah's implication that one who vows from entering a house is prohibited from the doorframe outward is challenged from a Baraisa.
This challenge is deflected. ■

Distinctive INSIGHT

Why is the outskirts of the city excluded from the neder?

אימא אפילו בתחומה הא כתיב ומדותם חוץ לעיר

The ש"ך writes that even though in regard to all halachos we rule that the area surrounding a city (**תחום**) is part of the city, nevertheless, in regard to nedarim, we evaluate definitions based upon colloquial usage of terms, and people usually do not refer to the area adjacent to the city as part of the city itself. The **שלמי דברים** explains the words of the ש"ך. In general, we consider the surrounding area of a city to be an extension of the city itself, and for all intents and purposes it is treated as is the city. However, when a person pronounces a neder regarding the city, his intent is an integral part of the restriction imposed by his words. Therefore, in regard to nedarim we follow the person's intent, and the **תחום** of the city is not included in his vow.

תוספות שבת (#254) notes that whatever is situated in the **תחום** of the city is not part of the city is learned from the verse (Bamidbar 35:5) "You shall measure from outside the city..." How, then, can we say that it is only in reference to the laws of nedarim that the **תחום** is outside the city? It seems that the general rule should be that anything beyond the precise city limits should be considered as not part of the city.

The **שלמי דברים** presents an answer to this question based upon an opinion of Beis Yosef (Y.D. 216), who says that the rule of following the colloquial usage of words and phrases regarding nedarim is a very localized rule. If a term means one thing in one location, and the same term means something else in another location, each place is judged according to its

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REVIEW and Remember

1. Is an attic considered part of a house?

2. How does Ulla understand the term **דרגש**?

3. According to R' Yirmiyah, what is the difference between a **מטה** and a **דרגש**?

4. Where should the kohen be standing when he declares that a house should be closed off due to tzara'as?

HALACHAH Highlight

The extension of a city

הנודר מן העיר מותר ליכנס לתחומה של עיר ואסור ליכנס לעיבורה

One who vows to not enter a city is permitted to enter the techum of the city but is prohibited to enter the extension of the city

One application of the Gemara's discussion whether the techum of a city is treated the same as the city or not relates to the correct way to write a get. When writing a get the scribe includes the name of the city where the get is written. Do we consider the techum area outside the city to be the same as the city or not? Consider for example, the following question posed to the Panim Meiros¹. There was a community of Jews who lived outside of a walled city in their own neighborhood. When a get is written is it acceptable to write that the get was written in the city even though the get was written outside of the city, or perhaps they have to write and deliver the get within the walls of the city?

Panim Meiros answered that if the neighborhood outside the city where the Jews live does not have an independent name and is located within the extension (עיבורה) of the city it is considered part of the city and a get written in that neighborhood could be referenced as part of the walled city. Furthermore, even if the neighborhood where the Jews live is not within the extension of the city but it borders on a non-Jewish neighborhood that is within the extension of the city, that is sufficient.

Proof to this conclusion can be found in our Gemara. The Gemara relates that when a person vows that he will not enter a

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particular usage of the phrase. If an oath is uttered in לשון הקודש, but in that place people do not speak the Holy Tongue, the halacha will revert back to the Torah's usage of a term to identify the person's legal intent.

Our Mishnah states that if a person makes a neder to prohibit benefit upon himself from "the city," the halacha is that he may benefit from the area around the city. The Mishnah seems to deal with the question whether when the person uttered his vow he said it in his local language or if he said it in לשון הקודש. Therefore, the Gemara explains that if he said it in his own language, he may benefit from the תחום because people generally do not include the outskirts of the city when they say "city". If the person said his vow in לשון הקודש, the area surrounding the city is also excluded, as the Torah's usage of the term "city" also does not include the תחום. ■

city he is prohibited from entering even the extension of that city. The Gemara demonstrates this principle from a pasuk in Yehoshua that the extension of a city is called by the name of the city. He then notes that in Cracow the custom is to write that the get was written in Kosmir, the name of the Jewish neighborhood. The reason Kosmir is referenced rather than Cracow is that that place has a separate name; consequently it should be appropriately identified in a get. Those places that do not have a name to themselves can be identified by the name of the neighboring city as long as it is within the extension of the larger city. ■

1. שו"ת פנים מאירות ח"ב סי' פ"ב ■

STORIES Off the Daf

Location, location

עומד בצד המשקוף ויסגיר

The kohen should stand next to the threshold (from the outside) and declare the house to be quarantined.

The position which the kohen assumes as he declares an infected house to be quarantined (Vayikra 14:38) is used to define the precise definition of what is meant when one prohibits himself from benefit from a house.

The halacha of impurity of a house presents us with a fascinating insight to the Torah's sensitivity in this regard.

Rashi explains that all the while that the Kohen does not become involved with it, the law of impurity does not take effect. This means that until the kohen arrives to inspect and then make his declaration of

impurity, the owner of the house has the opportunity to empty the house of its contents, thus preventing these items from being included in the kohen's declaration of impurity.

Why does the Torah command that the afflicted house be emptied before the Kohen arrives? It could have allowed the Kohen to arrive, and if he intended to declare the house as truly contaminated, we could then empty the house quickly before the declaration was officially made. The halacha is that once a Kohen arrives at his decision that the house is to be quarantined, he cannot delay in making his official declaration that the house is "tamei". If the house had not yet been evacuated, at that moment, as the verdict is about to be pronounced, everyone would rush to retrieve whatever items possible from the house in order to save them from becoming tamei. Obviously, due to the time limitation, people would choose those items

which were most valuable first, and the lesser items, such as the earthenware pots, would be lost. However, now that the Torah instructs us to remove all items before the arrival of the Kohen, "there will not be any impurity upon any of the items of the house". Without exception, everything would be saved, including the cheaper and simpler items which otherwise would have been the first to be lost.

Or Hachaim notes that the Torah is hereby showing its concern for the fiscal welfare of the owner of this house, in that the earthenware vessels will be saved. They would have otherwise been lost either due to the fact that they would have been subject to ritual contamination without the ability for renewed purity, or because they would have been left behind in the last-minute rush to save items of value before the Kohen would have pronounced his ruling. ■