

SederNezikin|BavaBatra 140-146|ShabbatParashatShlachLecha|17-23Sivan(June 11-17)

Daf 140: ירושת הבנים והבנות – Inheritance of the Minor Daughters

When a father dies, the minor daughters must be supported from the assets of the inheritance due the sons, and the sons are supported from the remaining assets they receive from the estate.

What is done when the father leaves behind such a meager inheritance that after funds are taken to support the daughters nothing remains for the sons? According to the *Chachamim*, in such a case, the sons are told: Rabbinic legislation stipulates that providing support for the daughters take precedence over your right to the inheritance. Try to manage on your own, even if it means requesting charity.

In contrast to the approach of the *Chachamim*, there is a *Tanna* named Admon who says that in such a case the sons should be equal to the daughters for the purpose of inheritance.



Daf 141: ירושת הבנות הקטנות – Preferring Daughters

The *Mishnah* addresses the legal significance of statements made by a man whose wife was pregnant: "If my wife gives birth to a boy he shall take one hundred *zuz*. If my wife gives birth to a girl she shall take two hundred *zuz*." The implication of the *Mishnah* is that fathers prefer the birth of a daughter over that of a son. For inheritance purposes, the *Gemara* concedes, that a father prefers sons because then family property remains in the possession of the family and is not inherited by the family of a daughter's future husband. However, when it comes to making ample provisions for the well-being of his children, a father will typically show preference for daughters. Moreover, it is considered a good omen for the firstborn child to be a girl. There is also the practical advantage, noted the Talmud, of an older daughter helping to raise her younger brothers.



FROM THE TALMUD
SEDER NEZIKIN
MASECHET BAVA BATRA
daf 140

מן התלמוד:

סדר נזיקין, מסכת בבא בתרא, דף ק"מ:

”אדמון אומר: בשביל שאני זכר הפסדתי? ... מאי קאמר? אמר אביי, הכי קאמר: בשביל שאני זכר וראוי אני לעסוק בתורה הפסדתי?”

Translation

מנסבא ... Minseba She will marry

האידינא ... haEedna Now

Explanation

The Mishna states that if a person dies and leaves behind few possessions, the daughters inherit them and the sons are left to collect donations. Regarding this matter, Admon wondered why the boys had to lose out? They are commanded to engage in Torah study and as such should not lose their share.

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📌 Daf 142: בְּכוֹר שְׁנוּלָד לְאַחֵר פְּטִירַת אָבִיו – A First Born After His Father's Passing

It states in the Torah that the *bechor* (firstborn male) receives a double portion from the *yerusha* (inheritance). Despite this rule, there is a situation in which the *bechor* is not entitled to a double portion of the *yerusha* — i.e., a case where the *bechor* is born after the father's death. Therefore, if the father dies, and after his death his wife gives birth to twins — even if the first baby born is a *bechor*, he does not receive a double portion of the inheritance, since he was born after the father's death.



📌 Daf 143: "קָרְבַּן מִנְחָה" – "Minchah Offering"

Various sacrifices were offered in the *Beit HaMikdash*, among them the *Korban Minchah* (the *Minchah* offering.) What is the "*Korban Minchah*"? *Solet* (fine flour), *shemen* (oil) and *levona* (frankincense) are brought to the *Beit HaMikdash*, from which the *kohen* makes an offering, as is proscribed in the Torah in *Parashat VaYikra*.

How much *solet* must be brought for the *Korban Minchah*? An *isaron* of *solet*. In the measures of our times, that is approximately 4.4 lbs.

The *isaron* measurement fixed by the Torah is not meant as a limit, as one is permitted to bring more. The Torah stipulates an *isaron* to indicate that bringing less than that amount is unacceptable. On this *daf* we learn that there is, in fact, a maximum measure — one may bring up to 60 *isaron* for the *Minchah* offering, but no more.



Why? Since before the *Minchah* could be offered, it required the mixing together of the oil and the flour. Too large a quantity of oil would prove impossible properly to mix with the oil. Such a large *Minchah* donation is called "*ayna reu'yah l'bilah*," (not fitting to be mixed,) since it cannot fully be mixed properly.

📌 Daf 144: קִנְיָן "מַעֲמַד שְׁלֹשֶׁתָּן" – Acquisition of "In the Presence of Three Parties"

Chanoch wanted to acquire a flourmill from Gershon. Gershon agreed to sell it to him, but Chanoch did not have the necessary cash with him at that time. Chanoch suggested to Gershon: "I lent Elchanan \$10,000. You take over rights to that debt and when it comes due, you collect the money from Elchanan. In exchange, as of tomorrow, I will get the deed of ownership for the flourmill." Gershon agreed to the arrangement and declared: "Let's perform a *kinyan* (acquisition) on the debt."

(continued from previous page ...)

👤 | Who's Who In Jerusalem

Lt. Gen. Mordechai "Motta" Gur (1930-1995)

Lt. Gen. Motta Gur was another in the pantheon of the great Israeli generals of Israel's 'first generation'. Gur was born in Jerusalem, served in the Haganah in pre-State days, and then became a paratrooper in the Israel Defense Forces.

In 1966, Lt. Gen. Gur was appointed the commander of the 55th Paratrooper Brigade, which he led the following year during the Six-Day War. Gur's troops entered the Old City of Jerusalem and it is his excited voice that was heard by Jews around the world announcing, "*Har HaBayit Be'Yadeinu!*"—*The Temple Mount is in our hands!* Jerusalem was reunified under his determined command.

During Operation Entebbe, the widely hailed hostage rescue mission in Uganda, Gur as Chief-of-Staff of the IDF orchestrated the rescue, which saved the lives of 98 Jewish and Israeli hostages.

After completing his illustrious military career, which included many more well-known military operations, Gur continued his service to Israel as a member of the Knesset. He is remembered as one of Israel's greatest heroes who devoted his life to protecting and fighting for the Jewish people.



Chief of Staff Motta Gur (center) initialling the interim Israel-Egyptian Sinai agreement, at the Prime Minister's Office. Photo Source: Israel Government Photo Archive.



(continued from previous page ...). However, Chanoch and Gershon asked themselves: How does one acquire rights for collection of a debt? Is it implemented through *kinyan meshicha* (acquisition constituted by pulling)? After all, one cannot "pull" a debt! How about *kinyan chatzer* (acquisition through placement in a courtyard)? One cannot place a debt into a courtyard!

They looked at one another and asked: "Truly, how does one acquire rights for collection of a debt?"

As luck would have it, a *talmid chacham* happened by the flourmill and told them: "One of the options for the *kinyan* of rights for debt collection is by means of a *kinyan "ma'amad shloshtan"* (acquisition in the presence of three parties). Legislated by *Chazal*, the three parties — *koneh* (buyer), *mocher* (seller), and *loveh* (borrower) — get together and the *koneh* announces that he transfers the right to collect the debt to the *mocher*. In so doing, the *kinyan* (acquisition) is executed.



דף 145: - "פְּרִיטָא" - מְשִׁנָּה חִיצוֹנִית Baraita — "Extra-Mishnaic" Texts



The word "*baraita*" is Aramaic and it means "external." A *baraita* is any teaching of *Tana'aim* not included in the *Shisha Sidrei* (six orders of) *Mishnah*, but were written down as part of other compositions, or transmitted orally and incorporated into the *Gemara*. That is why they are referred to as "*baraitot*" (external), since they are outside of the *Mishnah*. Most of the

baraitot in our hands today deal with matters of *halacha* or explanations of different homilies on verses in the Torah. However, there are also *baraitot* that deal with *halachot* of *mussar* (ethics) and *derech erez* (codes of appropriate behavior).

On this *daf* we learn an interesting *baraita* that lists different types of *talmidei chachamim*, according to the nature of their expertise in the Torah learning and compares them to different types of wealthy people.

There is a type of wealthy individual whose riches are widely publicized — e.g., one who possesses fields, vineyards and olive orchards, whose property covers vast areas, and whose ownership is public knowledge. People say: this field, vineyard, or orchard belong to *Ploni* (so-and-so), the wealthy guy. This type of wealthy person is like a *talmid chacham* whose expertise is in *Agaddah* (homiletic embellishments of the Biblical text). Why? Since in order to present a *drasha* (sermon) on Aggadic matters, it is unnecessary to review and prepare. Such a *talmid chacham* is able — in any place and at any time requested — to deliver a *drasha*, as he is always prepared. He gives *drashot* everywhere and his wisdom is apparent for all to see.

Another type of rich person has much cash with which he does business. He constantly earns more and more money. This wealthy person is akin to a *talmid chacham* who is sharp and witty, who continually adds to his knowledge and understanding of the Torah.

♥ | This Week In Jerusalem's History

While *Yom Yerushalayim* is celebrated on the 28 *Iyyar*, Israel officially annexed the Old City of Jerusalem on the 20 *Sivan* in 1967, thereby officially uniting the entire city.

Lt. Gen. Mordechai "Motta" Gur said to his brigade upon their recapture of Jerusalem's Old City: "For some two thousand years the Temple Mount was forbidden to the Jews. Until you came — you, the paratroopers — and returned it to the bosom of the nation. The Western Wall, for which every heart beats, is ours once again. Many Jews have taken their lives into their hands throughout our long history, in order to reach Jerusalem and live here. Endless words of longing have expressed the deep yearning for Jerusalem that beats within the Jewish heart. You have been given the great privilege of completing the circle, of returning to the nation its capital and its holy center".

As we celebrate Jerusalem and all its glory, we also remember the yearning of generations of Jewish people who could only dream of seeing our beloved capital as the wonderful city it has become.



Lt. Gen. Mordechai "Motta" Gur and his brigade observe the Temple Mount from the Mount of Olives, prior to their attack of the Old City. Photo Source: IDF Photo Archive/Flickr

Daf 146: סוגי עושר – Types of Wealth

There are wealthy people who have much merchandise in warehouses. For much of the year their merchandise is stored away and the extent of their wealth is not evident. However, when market day comes, they open the warehouses and the vastness of their merchandise is revealed.



Similarly, there are *talmidei chachamim* whose greatness is expressed through their profound expertise and remarkable memory for *divrei halacha* (legal teachings) they have heard. At any given time, the breadth of their wisdom is not apparent. However, when one desires to clarify a specific Torah teaching said in the name of a particular sage, one can turn to this type of *talmid chacham* and he'll immediately give the correct answer.

There are people who store merchandise without which one cannot live — i.e., wheat from which bread is made. Similarly, there are *talmidei chachamim* who are proficient in Talmud — in *Mishnah* and *Gemara* — and who deal with matters required for determining *halacha*. Their knowledge is consistently sought out, as people need to know how they should conduct themselves.



חוכמת החכמים | 💡

הוא היה אומר: כל שרונה הבריות נוחה הימנו -
רוח המקום נוחה הימנו. (אבות ג:י).

הספר: כל מי שאהוב על הבריות בגלל מעשיו הטובים,
אהוב גם למעלה בשמים.

מלון



beloved – אהוב

Popular sentiment – רוח הבריות

because of – בגלל

God – רוח המקום

in the Heavens – למעלה בשמים

comfortable, content – נוחה

📖 | Dvar Torah for the Shabbat Table

After the sin of the spies (ten of whom reported negatively about Eretz Yisrael) and the sin of the *Ma'apilim* (who made a premature attempt to enter Eretz Yisrael against God's will), God told Moshe to instruct B'nai Yisrael regarding the *halachot* relating to grain offerings, wine libations, and *hafrashat challah* (setting aside a portion of dough — originally given to Priest — prior to baking). "Speak to the children of Israel and say to them — When you arrive in the Land of your dwelling place, which I am giving you, and you make an offering to God, a burnt offering for the violation of an expressed vow, or a voluntary offering, or an offering on your festivals to provide God a pleasing fragrance, from the cattle or from the sheep..."

Chazal asked: Why are these laws stated here? What is the connection between these *halachot*, which pertain to the *Beit HaMikdash* and its officiants, and the *Chet haMeraglim* and the *Chet haMa'apilim*? To answer this question, Ramban explained that in light of what the Israelites heard from God, "But as for you, your corpses will fall in this desert ... and your children will roam the wilderness for 40 years..." B'nei Yisrael were liable to despair and to think that they never would be allowed to enter Israel. Therefore, they were instructed concerning these commandments that are applicable in the Land, to encourage them and strengthen their belief that their children would inherit Eretz Yisrael and work in the *Beit HaMikdash*.

🔍 QUESTIONS OF THE WEEK

All answers can be found in this Daf Yomi booklet

1. From which items was the "*korban mincha*" in the *Beit HaMikdash* composed and in what quantity?
2. What is a *kinyan* "*ma'amad shloshtan*"? When and in what manner was it performed?
3. What is "*baraita*" and what is included in it?

Please email answers to questions to
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