

NOTES

And let us establish, etc. – לוקמה וכו': Some explain that the Gemara is asking why Rami bar Hama's explanation is rejected, as he could establish the mishna in a different manner. Others maintain that this is a general question as to why the mishna is not explained in this fashion (see Rivan and Ritva).

Where he seized etc. – היכא דתפס וכו': Some explain that as he was able to collect intermediate-quality land from the father's estate while he was alive, it is not taken away from him at a later stage (Ra'avad). Others note that although by Torah law a creditor collects from inferior-quality land, nevertheless the Sages issued a decree that if one did seize intermediate-quality land from orphans it is not taken away from him, so that people not be discouraged from issuing loans (Ramban).

HALAKHA

Three lands with regard to marriage – שלש ארצות: The entire inhabited area of Eretz Yisrael is divided into separate territories with regard to the halakhot of forced relocation after marriage: Judea, Transjordan, and the Galilee. The commentaries add that every kingdom constitutes its own land as far as these halakhot are concerned (Rivash). Furthermore, if one kingdom is subdivided into separate counties, even in name only, each is considered a separate land (Be'er Heitev; Rambam Sefer Nashim, Hilkhhot Ishut 13:16; Shulhan Arukh, Even HaEzer 75:1).

One may not remove, etc. – אין מוציאין וכו': If a man from one of these three lands married a woman from another land, she must relocate to his place of residence, as she married him under this condition, even if it was not expressly stated. If they were from the same land, he cannot force her to relocate to a different country. However, he can compel her to move from one town to another, or from one city to another, within the same land. Some claim that with regard to moving from one town to another, each spouse can force the other to relocate (Rema). Some authorities (Terumat HaDeshen) claim that if he is unable to earn a living where they are, she must relocate with him, while others (Beit Yosef) dispute this (Rambam Sefer Nashim, Hilkhhot Ishut 13:17; Shulhan Arukh, Even HaEzer 75:1).

Perek XIII  
Daf 110 Amud b

HALAKHA

Also not from a noxious residence – אף לא מנה רעה: When a man seeks to relocate with his wife from town to town or from city to city in the same land, he cannot take her from a pleasant to a noxious residence or vice versa, in accordance with the opinion of Rabban Shimon ben Gamliel (Rambam Sefer Nashim, Hilkhhot Ishut 13:19; Shulhan Arukh, Even HaEzer 75:2).

אמר רבא: שתי תשובות בדבר: חדא – דזה גובה וזה גובה קתני, ועוד: לגבינהו ארעא ליתמי, וליהדר וליגבינהו מיניהו, כדבב נחמן, דאמר רב נחמן אמר רבה בר אבובה: יתומים שגבו קרקע בחובת אביהן – בעל חוב חוזר וגובה אותן מהן, קשיא!

ולוקמה דאית להו ליתמי זיבורית ואית ליה לדידיה עידיה ובינונית, דאולי יתמי גבו בינונית ומגבו ליה זיבורית. דאי נמי בשל כל אדם הן שמין – הא אין נפרעי מנכסי יתומים אלא מזיבורית!

הי מילי היכא דלא תפס, אבל היכא דתפס – תפס.

מתני' שלש ארצות לנשואין: יהודה, ועבר הירדן, והגליל. אין מוציאין מעיר לעיר ומכרך לכרך, אבל באותה הארץ מוציאין מעיר לעיר ומכרך לכרך.

Rava said: There are two responses to this explanation. One is that the mishna teaches that this one collects his promissory note and that one collects his promissory note, which indicates that each actually collects what is owed to him, not that one is entitled to collect it but may not do so in practice. And furthermore, let him give land to the orphans and return and collect it from them, in accordance with the opinion of Rav Nahman. As Rav Nahman said that Rabba bar Avuh said: With regard to orphans who collected land in payment of their father's debt, a creditor may come back and collect it from them. The Gemara comments: This does pose a difficulty for the explanation of Rami bar Hama.

The Gemara asks: And let us establish<sup>N</sup> the mishna as referring to a case where the orphans have inferior-quality land, and he himself, the other creditor, has both superior-quality land and intermediate-quality land. In this scenario the orphans go and collect intermediate-quality land from him, while they give him inferior-quality land in payment of the debt owed to him by their father. The reason is that even if the halakha is that one assesses the quality of land on the basis of the lands of all people, and therefore the other creditor should be able to collect intermediate-quality land from the orphans, there is a principle that one collects a debt from the property of orphans only from inferior-quality land.

The Gemara answers: This applies only to a case where the lender has not as yet seized any land from the orphans in payment of his debt. However, where he has seized<sup>N</sup> intermediate-quality land, he has seized that land. Since he is already in possession of a field, it is not taken from him. In these circumstances there is no significance to each party collecting from the other.

**MISHNA** Eretz Yisrael is divided into three separate lands with regard to marriage:<sup>H</sup> Judea, Transjordan, and the Galilee. If a man marries a woman in one of these lands he may not remove<sup>H</sup> her from one town to another town in another of these lands or from one city to another city, i.e., he cannot compel her to move to another land. However, in the same land one may remove her from one town to another town or from one city to another city.

**Bold** = translation    Normal = explanation

אבל לא מעיר לכרך ולא מכרך לעיר. מוציאין מנה הרעה לנה היפה, אבל לא מנה היפה לנה הרעה. רבן שמעון בן גמליאל אומר: אף לא מנה רעה לנה יפה, מפני שהנה היפה בודק.

However, even within the same land one may not force his wife to move from a town to a city, nor from a city to a town.

The mishna adds: One may remove his wife from a noxious residence to a pleasant residence, even if it is in another land. However, one may not compel his wife to move from a pleasant residence to a noxious residence. Rabban Shimon ben Gamliel says: One may also not remove her from a noxious residence<sup>H</sup> to a pleasant residence, because a pleasant residence tests the individual, i.e., one accustomed to certain environments can suffer even in more comfortable living quarters.

גמ' בשלמא מכרך לעיר – דבכרך שכיחי כל מילי, בעיר לא שכיחי כל מילי. אלא מעיר לכרך מאי טעמא?

**GEMARA** With regard to the statement in the mishna that one may not force one's spouse to move from a city to a town or from a town to a city, the Gemara asks: Granted, one may not remove her from a city to a town, as all items are readily available in a city, whereas in a town all items are not as available, and therefore the wife can argue that living in a town is inconvenient for her. However, what is the reason that the husband cannot compel her to move from a town to the city?

מסייע ליה לרבי יוסי בר חנינא, דאמר רבי יוסי בר חנינא: מנין שישיבת כרכים קשה – שנאמר "ויברכו העם לכל האנשים המתנדבים לשבת בירושלים".

"רבן שמעון בן גמליאל אומר" כו'. מאי בודק? בדשמואל, דאמר שמואל: שינוי וסת תחלת חולי מעים. כתוב בספר בן סירא: "כל ימי עמי רעים" ודאיכא שבתות וימים טובים! בדשמואל, דאמר שמואל: שינוי וסת תחלת חולי מעים.

בן סירא אומר: "אף לילות, בשפל גגים גגו ובמרום הרים ברמו, ממטר גגים לגגו ומעפר ברמו לכרמים".

The Gemara answers: This supports the opinion of Rabbi Yosei bar Hanina, as Rabbi Yosei bar Hanina said: From where is it derived that dwelling in cities is difficult?<sup>N</sup> As it is stated: "And the people blessed all the men who willingly offered themselves to dwell in Jerusalem" (Nehemiah 11:2). This shows that living in a city is difficult, due to the noise and the general hubbub of an urban area.

§ The mishna taught: Rabban Shimon ben Gamliel says that a pleasant residence tests the individual. The Gemara asks: What is the meaning of the term tests in this context? The Gemara explains: This is in accordance with the opinion of Shmuel, as Shmuel said: A change in one's eating habits [veset]<sup>LB</sup> or in one's place of residence is the start of intestinal disease. Similarly, it is written in *Sefer Ben Sira*:<sup>B</sup> All the days of the poor are terrible. And yet there are Shabbatot and Festivals, when even the poor eat well. Once again, the Gemara answers: This is in accordance with the opinion of Shmuel, as Shmuel said: A change in one's eating habits or in one's place of residence is the start of intestinal disease, and as a result the poor suffer even from a change for the better.

Since the Gemara quoted from *Sefer Ben Sira*, it cites the rest of the passage concerning the terrible days of the poor. Ben Sira says: Even the nights of the poor are bad. His roof is at the low point of the roofs, i.e., his residence is at the lowest point in the city, and his vineyard is at the mountain peaks, at the highest point of the slope, which means that the rain of roofs washes down to his roof, and the soil of his vineyard to other vineyards, i.e., the rain washes away the soil in his vineyard and carries it away to the vineyards below.

מתני' הכל מעלין לארץ ישראל ואין הכל מוציאין, הכל מעלין לירושלים ואין הכל מוציאין. אחד האנשים ואחד הנשים.

**MISHNA** All may force their family to ascend to Eretz Yisrael,<sup>H</sup> i.e., one may compel his family and household to immigrate to Eretz Yisrael, but all may not remove others from Eretz Yisrael, as one may not coerce one's family to leave. Likewise, all may force their family to ascend to Jerusalem,<sup>H</sup> and all may not, i.e., no one may, remove them from Jerusalem. Both men and women may force the other spouse to immigrate to Eretz Yisrael or to move to Jerusalem.

נשא אשה בארץ ישראל וגרשה בארץ ישראל – נותן לה ממעות ארץ ישראל. נשא אשה בארץ ישראל וגרשה בקפוטקיא – נותן לה ממעות ארץ ישראל. נשא אשה בקפוטקיא – וגרשה בארץ ישראל – נותן לה ממעות ארץ ישראל. רבן שמעון בן גמליאל אומר: נותן לה ממעות קפוטקיא. נשא אשה בקפוטקיא וגרשה בקפוטקיא – נותן לה ממעות קפוטקיא.

The mishna lists other halakhic distinctions between various geographic locations: If one married a woman in Eretz Yisrael and divorced her in Eretz Yisrael, and the currency of the sum in the marriage contract was not specified, he gives her the sum of her marriage contract in the currency of Eretz Yisrael. If one married a woman in Eretz Yisrael and divorced her in Cappadocia,<sup>B</sup> where the currency holds greater value, he gives her the currency of Eretz Yisrael. If one married a woman in Cappadocia and divorced her in Eretz Yisrael, he likewise gives her the currency of Eretz Yisrael. Rabban Shimon ben Gamliel says: He gives her the currency of Cappadocia. Everyone agrees that if one married a woman in Cappadocia and divorced her in Cappadocia, he gives her the currency of Cappadocia.

**BACKGROUND**

A change in habits – שינוי וסת: A sudden change in eating habits, e.g., a change in one's diet or the quantity of food consumed, may adversely affect one's digestion. Although this is unlikely to cause a full-fledged illness, it might lead to discomfort and even severe pain.

*Sefer Ben Sira* – ספר בן סירא: *Sefer Ben Sira* is one of the books of the Apocrypha. It was added to the canon of biblical literature in the Septuagint. This book is unique in that it is cited by the Sages by name, at times with the same introductory language as the books of the Writings of the Bible. Since this book was not sanctified as part of the biblical canon, there were many different editions available, as can be seen from translations and manuscripts. It is possible that a different, and less reliable, book: The Alphabet of Ben Sira, was added to the apocryphal work

mentioned above, which lead the Sages to treat the entire work with a measure of suspicion. The passage cited here does not appear either in the translations or in the Hebrew manuscripts of the book, although it does appear as a gloss in one manuscript. This passage is based on a verse in the Bible: "All the days of the poor are evil" (Proverbs 15:15), and it is followed by additional observations attributed to ben Sira.

Cappadocia – קפוטקיא: This refers to the province *καπαδοκία*, *Kappathokia*, located in Asia Minor, bordering the Euphrates. Cappadocia was once an independent country, which became a Roman province in the time of the Talmud. As mentioned here, the coins of Cappadocia were greater in value than those of Eretz Yisrael due to their higher content of precious metals.

**NOTES**

Dwelling in cities is difficult – ישיבת כרכים קשה: Some explain that this is due to the congested conditions of the city, the tight housing, the number of people, and the lack of open spaces and fresh air (Rivan; Rid). Others claim that the cost of living is higher in the cities (Rabbeinu Hananel). Yet others add that one must adopt a higher standard of living when residing in a city (*Talmidei Rabbeinu Yona*).

**LANGUAGE**

Habits [veset] – וסת: From the Greek *ἔθος*, *ethos*, meaning custom or habit.

**HALAKHA**

All may force their family to ascend to Eretz Yisrael, etc. – הכל מעלים לארץ ישראל וכו' – All of these *halakhot* concerning the relocation of a married couple refer only to a move either within the borders of Eretz Yisrael or between different countries abroad. However, one can coerce a spouse to move from abroad to Eretz Yisrael, even from a pleasant residence to a noxious one, and even from a place in which the majority of residents are Jews to a place where the majority are gentiles. One cannot coerce a spouse to leave Eretz Yisrael even if it would be a move from a noxious residence to a pleasant one, or from a place where the majority of residents are gentiles to one where the majority is Jewish (Rambam *Sefer Nashim*, *Hilkhot Ishut* 13:19; *Shulhan Arukh*, *Even HaEzer* 75:3).

הכל – הכל מעלין לירושלים: The same *halakha* that applies to Eretz Yisrael vis-à-vis other countries also applies with regard to Jerusalem vis-à-vis the rest of Eretz Yisrael: All may force their family to move to Jerusalem and none may coerce them to leave the city (Rambam *Sefer Nashim*, *Hilkhot Ishut* 13:20; *Shulhan Arukh*, *Even HaEzer* 75:4).

NOTES

**To include slaves – לְאִתּוּי עֲבָדִים:** Rashi explains that this refers to Hebrew slaves, while the statement later in the Gemara, that a slave is included in the *halakha* that none may force anyone to leave Eretz Yisrael, refers even to a Canaanite slave. However, others maintain that here, as elsewhere, the term slaves refers to Canaanite slaves (Ra'avad). Accordingly, as a Canaanite slave is obligated in the performance of mitzvot to the same degree as a woman, he must fulfill the mitzva of settling Eretz Yisrael, as discussed later in the Gemara. Consequently, he may coerce his master to resettle there or to emancipate him.

HALAKHA

**To include slaves – לְאִתּוּי עֲבָדִים:** If a Canaanite slave expressed a wish to immigrate to Eretz Yisrael, his master must either take the slave there himself or sell him to someone who will take him there. If they were living in Eretz Yisrael and the master wished to leave, he may not forcibly take his slave with him. This *halakha* applies at all times, even when Eretz Yisrael is under foreign control (Rambam *Sefer Kinyan, Hilkhot Avadim* 8:9; *Shulhan Arukh, Yoreh De'a* 267:85).

**He says to ascend, etc. – הוּא אוֹמֵר לַעֲלוֹת וְכוּ':** If a man wishes to ascend to Eretz Yisrael and his wife does not wish to do so, he may divorce her without paying the marriage contract. Similarly, if she wishes to ascend to Eretz Yisrael and the husband does not wish to do so, he must divorce her and pay her the marriage contract. Some say that this *halakha* applies only when the move does not entail danger (Rashbatz). In general, the halakhic authorities debate whether or not the mitzva to immigrate to Eretz Yisrael applies nowadays. Since this debate remains unresolved, one may not force an unwilling spouse to make the move (*Be'er HaGola*). Others (*Pithei Teshuva*) cite several responsa that conclude that there is a mitzva to immigrate to Eretz Yisrael even in contemporary times (Rambam *Sefer Nashim, Hilkhot Ishut* 13:20; *Shulhan Arukh, Even HaEzer* 75:4–5).

**גמ' "הכל מעלין לְאִתּוּי מַאי? לְאִתּוּי עֲבָדִים.**

**GEMARA** The mishna stated: **All** can force the members of their family to ascend. The Gemara asks: This inclusive phrase serves to include what case? The Gemara answers: It comes to include slaves,<sup>h1</sup> i.e., Hebrew slaves as well may be coerced to immigrate to Eretz Yisrael with their master's family against their will.

**וְלִמָּאן דְּתַנִּי עֲבָדִים בְּהִדְיָא, לְאִתּוּי מַאי? לְאִתּוּי מְנוּהַ הִיפָּה לְנוּהַ הָרַעָה.**

The Gemara asks: **And according to the one** whose text of the mishna expressly teaches the case of slaves, this phrase comes to include what case? As stated later in the Gemara, there are some editions of the mishna that state that this *halakha* applies equally to men, women, and slaves. The Gemara answers: It comes to include one who moves from a pleasant residence to a noxious residence, i.e., one may coerce his family to ascend to Eretz Yisrael even from a good residence abroad to an inferior one in Eretz Yisrael.

**"וְאִין הַבַּל מוֹצִיאִין" לְאִתּוּי מַאי? לְאִתּוּי עֲבָד שְׂבָרַח מְחוּצָה לְאַרְץ לְאַרְץ, דְּאִמְרִין לֵיהּ: יִבְנֶה הָכָּא וְוִיל, מְשׁוּם יְשִׁיבֵת אֶרֶץ יִשְׂרָאֵל.**

**S** The mishna further taught: **But all may not remove** others. Once again the Gemara asks: This phrase comes to include what case? The Gemara answers: It comes to include a Canaanite slave who ran away from his master and came from outside Eretz Yisrael to Eretz Yisrael, as we say to the master: Sell your slave here, in Eretz Yisrael, and then you may go and return abroad, but you may not take the slave abroad with you, due to the mitzva of settling Eretz Yisrael.

**"הַבַּל מְעַלִּין לְיִרוּשָׁלַיִם" לְאִתּוּי מַאי? לְאִתּוּי מְנוּהַ הִיפָּה לְנוּהַ הָרַעָה.**

**S** The mishna taught: **All** may force others to ascend to Jerusalem. The Gemara asks once again: This phrase comes to include what case? The Gemara answers: It comes to include a move from a pleasant residence elsewhere in Eretz Yisrael to a noxious residence in Jerusalem.

**"וְאִין הַבַּל מוֹצִיאִין" לְאִתּוּי מַאי? לְאִתּוּי אֶפְלוּ מְנוּהַ הָרַעָה לְנוּהַ הִיפָּה. וְאִידֵי דְּתַנָּא רִישָׁא "אִין מוֹצִיאִין", תַּנָּא סִיפָא נְמִי "אִין מוֹצִיאִין".**

**S** The mishna taught: **And all may not remove** them from Jerusalem. The Gemara asks: This phrase comes to include what case? The Gemara answers: It comes to include even a move from a noxious residence to a pleasant residence. The Gemara adds: **And since the tanna of the mishna taught: But one may not remove, in the first clause, he also taught: But one may not remove, in the latter clause,** despite the fact that this *halakha* could have been inferred from the first clause.

**תַּנּוּ רַבֵּנּוּ: הוּא אוֹמֵר לַעֲלוֹת וְהִיא אוֹמֶרֶת שְׁלֹא לַעֲלוֹת – בּוֹפִין אוֹתָהּ לַעֲלוֹת, וְאִם לֹא – תֵצֵא בְלֹא כְּתוּבָה. הִיא אוֹמֶרֶת לַעֲלוֹת וְהוּא אוֹמֵר שְׁלֹא לַעֲלוֹת – בּוֹפִין אוֹתוֹ לַעֲלוֹת, וְאִם לֹא – יוֹצֵיא וְיִתֵּן כְּתוּבָה.**

**S** The Sages taught: If the husband says that he wishes to ascend,<sup>h1</sup> i.e., to immigrate to Eretz Yisrael, and his wife says that she does not wish to ascend, one forces her to ascend. And if she will not do so, as she resists all attempts to force her to make the move, she is divorced without receiving her marriage contract, i.e., she forfeits her rights to the benefits outlined in the marriage contract. If she says that she wishes to ascend to Eretz Yisrael and he says that he does not wish to ascend, one forces him to ascend. And if he does not wish to immigrate, he must divorce her and give her the marriage contract.

**הִיא אוֹמֶרֶת לְצֵאת וְהוּא אוֹמֵר שְׁלֹא לְצֵאת – בּוֹפִין אוֹתָהּ שְׁלֹא לְצֵאת, וְאִם לֹא – תֵצֵא בְלֹא כְּתוּבָה. הוּא אוֹמֵר לְצֵאת וְהִיא אוֹמֶרֶת שְׁלֹא לְצֵאת – בּוֹפִין אוֹתוֹ שְׁלֹא לְצֵאת, וְאִם לֹא – יוֹצֵיא וְיִתֵּן כְּתוּבָה.**

If she says that she wishes to leave Eretz Yisrael, and he says that he does not wish to leave, one forces her not to leave. And if she does not wish to stay in Eretz Yisrael and resists all attempts to force her to stay, she is divorced without receiving her marriage contract. If he says that he wishes to leave Eretz Yisrael and she says that she does not wish to leave, one forces him not to leave. And if he does not wish to stay in Eretz Yisrael, he must divorce her and give her the marriage contract.

**"נָשָׂא אִשָּׁה" כּוּ'. הִיא גּוֹפָא קְשִׁיא;**

**S** The mishna taught that if one married a woman in Eretz Yisrael and divorced her in Cappadocia, he must pay her the marriage contract in the currency of Eretz Yisrael. The same is true if he married her in Cappadocia and divorced her in Eretz Yisrael. The Gemara asks: **This matter itself is difficult,** i.e., there is an internal contradiction in the rulings provided by the mishna.

קָתַנּוּ: נָשָׂא אִשָּׁה בְּאֶרֶץ יִשְׂרָאֵל וְגִרְשָׁהּ  
בְּקַפּוּדָא נֹתֵן לָהּ מִמְעוֹת אֶרֶץ יִשְׂרָאֵל –  
אֵלְמָא בְּתֵר שִׁיעֻבּוּדָא אֲזִילֵינּוּ. אֵימָא סִיפָא:  
נָשָׂא אִשָּׁה בְּקַפּוּדָא וְגִרְשָׁהּ בְּאֶרֶץ יִשְׂרָאֵל  
נֹתֵן לָהּ מִמְעוֹת אֶרֶץ יִשְׂרָאֵל, אֵלְמָא בְּתֵר  
גּוֹבִינָא אֲזִילֵינּוּ!

The Gemara elaborates: The mishna first teaches that if one married a woman in Eretz Yisrael<sup>h</sup> and divorced her in Cappadocia, he gives her the currency of Eretz Yisrael. Apparently, one follows the customs of the place of the lien, i.e., he pays with the currency of the location of the wedding, where the obligation came into force. Now, say the latter clause of the mishna: If one married a woman in Cappadocia and divorced her in Eretz Yisrael, he likewise gives her currency of Eretz Yisrael. Apparently, one follows the place of the collection of the money.

אָמַר רַבָּה: מִקּוּלֵי כְּתוּבָה שָׁנוּ כָּאן, קִסְבָּר  
כְּתוּבָה דְרַבָּנָן.

Rabba said: The Sages taught here one of the leniencies that apply to a marriage contract. The leniency is that the husband pays with the less valuable currency of Eretz Yisrael in both cases, whether the wedding or the divorce occurred there. This is because the *tanna* of this mishna holds that a marriage contract applies by rabbinic law.

”רַבִּן שִׁמּוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: נֹתֵן  
לָהּ מִמְעוֹת קַפּוּדָא.” קִסְבָּר: כְּתוּבָה  
דְּאוּרֵיטָא.

§ The mishna taught that Rabban Shimon ben Gamliel says that if one married a woman in Cappadocia and divorced her in Eretz Yisrael, he pays her the marriage contract in the currency of Cappadocia. The Gemara explains that Rabban Shimon ben Gamliel holds that a marriage contract applies by Torah law, which means that its debt must be paid according to its highest possible value. Consequently, one follows the place in which the obligation was formed, which is the *halakha* for all deeds and contracts, and there is no room for leniency in this matter.

תַּנּוּ רַבָּנָן: הַמּוֹצִיא שְׂטֵר חוּב עַל חֲבִירוֹ, כְּתוּב  
בּוּ בָבֶל – מַגְבִּיהוּ מִמְעוֹת בָּבֶל, כְּתוּב בּוּ אֶרֶץ  
יִשְׂרָאֵל – מַגְבִּיהוּ מִמְעוֹת אֶרֶץ יִשְׂרָאֵל. כְּתוּב  
בּוּ סֵתָם, הוֹצִיאָו בְּבָבֶל – מַגְבִּיהוּ מִמְעוֹת  
בָּבֶל, הוֹצִיאָו בְּאֶרֶץ יִשְׂרָאֵל – מַגְבִּיהוּ מִמְעוֹת  
אֶרֶץ יִשְׂרָאֵל. כְּתוּב בּוּ כֶסֶף סֵתָם – מֵה  
שִׁירָצָה לָוֶה מַגְבִּיהוּ, מֵה שְׂאִין בֶּן כְּתוּבָה.

§ The Sages taught: With regard to one who produces a promissory note against another,<sup>h</sup> if Babylonia is written in it, he pays it with the currency of Babylonia; if Eretz Yisrael is written in it, he pays it with currency of Eretz Yisrael. In a case where it is written without specification as to where the document was written, if he produced it in Babylonia he pays it with the currency of Babylonia and if he produced it in Eretz Yisrael he pays it with currency of Eretz Yisrael. If the note mentions money without specification of what type of coins are to be used, the borrower may pay it with any type of coin he likes, even the smallest denomination available. However, this is not the case with regard to a marriage contract.

אֵימָא? אָמַר רַב מֶשֶׁרְשִׁיּוּ: אֲרִישָׁא, לְאַפּוּקִי  
מִדְרַבָּן שִׁמּוֹן בֶּן גַּמְלִיאֵל, דְּאָמַר כְּתוּבָה  
דְּאוּרֵיטָא.

The Gemara asks: With regard to this last statement, that this is not the case with regard to a marriage contract: To which part of the *baraita* is this referring? Rav Mesharshiyya said: It is referring back to the first clause, that if the promissory note mentions Babylonia one pays with Babylonian currency. This indicates that one invariably pays based on the place where the document was written. The *tanna* adds that this principle does not apply to a marriage contract, as one pays based on the place where a marriage contract was written only if this would lead to a leniency, as explained above (Rid). This ruling comes to exclude the opinion of Rabban Shimon ben Gamliel, who said that that a marriage contract applies by Torah law and must always be paid in the currency of the place in which the obligation was first formed.

#### HALAKHA

נָשָׂא אִשָּׁה בְּאֶרֶץ – One married a woman in Eretz Yisrael, etc. – In a case of one who married a woman in one place and divorced her elsewhere, and no specific currency was mentioned in the marriage contract, if the currency of the place where they were married is more valuable, he pays her with the currency of the place where they were divorced. This is the case only if she was with him at the time of the divorce; however, if he had to send her bill of divorce to the place where they were married, this *halakha* does not apply (Beit Yosef, citing Rashba). If the money of the place where they were divorced is more valuable, he pays her with the currency of the location where

they were wed. The *halakha* is in accordance with the opinion of the Rabbis that a marriage contract applies by rabbinic law, and therefore the Sages were lenient in these matters. In any event, the husband may not pay her less than the minimum value of a marriage contract fixed by the Sages (*Maggid Mishne*). Needless to say, if a given currency was noted in the marriage contract she collects the money in that currency (Rambam *Sefer Nashim*, *Hilkhot Ishut* 16:6; *Shulhan Arukh*, *Even HaEzer* 100:5).

הַמּוֹצִיא שְׂטֵר – One who produces a promissory note  
חוּב וְכוּ: With regard to one who produces a promissory note

against another, if it was written in Babylonia he pays the debt in Babylonian currency, and if it was written in Eretz Yisrael, he pays the debt in currency from Eretz Yisrael. If the location was not stated in the document, the debt is paid in the currency of the location where the document was produced by the creditor. If the note did not mention any specific denomination of currency or location, the borrower may pay with the currency of his choice, as stated in the *baraita* (Rambam *Sefer Mishpatim*, *Hilkhot Malve VeLoveh* 17:9; *Shulhan Arukh*, *Hoshen Mishpat* 42:14).

But one can say it refers to strips – ואימא נסכא: If it is stated in a document that one borrowed silver from another, he may repay the loan with the smallest available weight of silver. If it is stated that he borrowed a silver coin, he may repay with the smallest silver coin available, even if it is a *peruta* (Rambam *Sefer Mishpatim*, *Hilkhot Malve Veloveh* 179; *Shulhan Arukh, Hoshen Mishpat* 42:13).

A person should always reside in Eretz Yisrael – לעולם ידור אדם בארץ ישראל: One should always reside in Eretz Yisrael, even in a town which is populated predominantly by gentiles, rather than outside Eretz Yisrael, even in a predominantly Jewish town. All who leave Eretz Yisrael to reside elsewhere are considered as though they are engaged in idol worship (Rambam *Sefer Shofetim*, *Hilkhot Melakhim* 5:12).

”כתוב בו כסף סתם מה שירצה לזה מגבהו.” ואימא נסכא? אמר רבי אלעזר: דכתיב ביה מטבע. ואימא פריטי? אמר רב פפא: פריטי דכספא לא עבדי אנשי.

§ The Gemara continues to analyze the *baraita*, which teaches: If the note mentions money [*keseif*] without specification, the borrower may pay it with any type of coin he likes. The Gemara asks: But can't one say that perhaps the document was not speaking of coins but of silver [*keseif*] strips?<sup>1</sup> Rabbi Elazar said: The *baraita* is referring to a case in which it is written in the document: Coins, although it does not specify which ones. The Gemara further asks: And can't one say that one may pay off the debt with *perutot*, a small denomination? Rav Pappa said: People do not ordinarily mint *perutot* of silver,<sup>2</sup> as they reserve silver for larger denominations.

תנו רבנן: לעולם ידור אדם בארץ ישראל, אפילו בעיר שרובה גוים ואל ידור בחוצה לארץ ואפילו בעיר שרובה ישראל. שכל הדר בארץ ישראל דומה כמי שיש לו אלוה, וכל הדר בחוצה לארץ דומה כמי שאין לו אלוה, שנאמר "לתת לכם את ארץ כנען להיות לכם לאלהים".

§ In relation to the basic point raised by the mishna concerning living in Eretz Yisrael, the Sages taught: A person should always reside in Eretz Yisrael,<sup>3</sup> even in a city that is mostly populated by gentiles, and he should not reside outside of Eretz Yisrael, even in a city that is mostly populated by Jews. The reason is that anyone who resides in Eretz Yisrael is considered as one who has a God, and anyone who resides outside of Eretz Yisrael is considered as one who does not have a God. As it is stated: “To give to you the land of Canaan, to be your God” (Leviticus 25:38).

וכל שאינו דר בארץ אין לו אלוה? אלא לומר לך: כל הדר בחוצה לארץ – כאילו עובד עבודה זרה, וכן בדוד הוא אומר “כי גרשוני היום מהסתפח בנחלת ה' לאמר לך עבוד אלהים אחרים”, וכי מי אמר לו לדוד: לך עבוד אלהים אחרים? אלא לומר לך: כל הדר בחוצה לארץ – כאילו עובד עבודה זרה.

The Gemara expresses surprise: And can it really be said that anyone who resides outside of Eretz Yisrael has no God? Rather, this comes to tell you that anyone who resides outside of Eretz Yisrael is considered as though he is engaged in idol worship. And so it says with regard to David: “For they have driven me out this day that I should not cleave to the inheritance of the Lord, saying: Go, serve other gods” (1 Samuel 26:19). But who said to David: Go, serve other gods? Rather, this comes to tell you that anyone who resides outside of Eretz Yisrael is considered as though he is engaged in idol worship.

רבי זירא וירא הוה קמשתמיט מיניה דרב יהודה, דבעא למיסק לארץ ישראל. דאמר רב יהודה: כל העולה מבבל לארץ ישראל – עובר בעשה, שנאמר

§ The Gemara relates: Rabbi Zeira<sup>4</sup> was avoiding being seen by his teacher, Rav Yehuda, as Rabbi Zeira sought to ascend to Eretz Yisrael and his teacher disapproved. As Rav Yehuda said: Anyone who ascends from Babylonia to Eretz Yisrael transgresses a positive mitzva, as it is stated:

BACKGROUND

*Perutot* of silver – פריטי דכספא: Since the value of silver coins in the ancient world was approximately equal to the value of the precious metals they contained, silver coins of very low denominations were not useful. A *peruta* was worth less than half a gram of silver, and a coin of this value would have been very small in size. For a certain period of time small silver coins were used in Greece, but this practice was abandoned and copper coins were adopted instead.

PERSONALITIES

Rabbi Zeira – רבי זירא: Born in Babylonia, Rabbi Zeira, known in the Jerusalem Talmud as Rabbi Ze'ira, became one of the great third-generation *amora'im* of Eretz Yisrael. His father was a Persian government tax collector who was praised as one of the few who performed that function honestly. When Rabbi Zeira ascended to Eretz Yisrael he decided to identify himself entirely with the Torah of Eretz Yisrael. The Gemara relates that he undertook one hundred fasts to forget the Torah he studied in Babylonia. Rabbi Zeira was renowned for his sharp intellect and authored many incisive *halakhot*. He was also known as an extremely God-fearing man, as attested by several stories. Due to his modesty, he did not even wish to be ordained with the title Rabbi. He relented only after being told that ordination atones for one's sins. The Gemara relates that he undertook one hundred additional fasts so that the fire of Gehenna would not harm him, and

he would test himself by entering a fiery furnace. On one occasion his legs were scorched, and from then on he was called: The little man with the scorched legs (*Bava Metzia* 85a). Rabbi Zeira was a contemporary of Rav Hisha, Rav Sheshet, and Rabba in Babylonia, and he was a contemporary of the disciples of Rabbi Yohanan in Eretz Yisrael, with whom he engaged in extensive halakhic discourse. Apparently, he was a flax merchant in Eretz Yisrael, and it is likely that for business reasons he returned to Babylonia several times. The text of the beginning of Rabbi Zeira's eulogy is preserved in the Talmud: The land of Shinar, i.e., Babylonia, conceived and gave birth; the land of splendor, i.e., Eretz Yisrael, raised her delight. Woe to me, said Rakkath, i.e., Tiberias, as she has lost her beloved instrument (*Megilla* 6a). Rabbi Zeira's son, Rabbi Ahava, was a Sage in the following generation.

בְּבִלְיָה יִבְאוּ וְשָׁמָּה יִהְיוּ עַד יוֹם פְּקֻדֵי אוֹתָם נֶאֱמַר ה'". וְרַבִּי זִירָא – הֵהוּא בְּכָלֵי שְׂרַת כְּתִיב.

“They shall be taken to Babylonia and there they shall remain until the day that I recall them, said the Lord” (Jeremiah 27:22). Based on that verse, Rav Yehuda held that since the Babylonian exile was imposed by divine decree, permission to leave Babylonia for Eretz Yisrael could be granted only by God. The Gemara asks: **And how does Rabbi Zeira interpret that verse?** The Gemara answers that Rabbi Zeira maintains that **that verse is written about the Temple service vessels**, and it does not refer to the Jewish people, as the previous verse states: “Thus says the Lord of Hosts, the God of Israel, concerning the vessels that remain in the house of the Lord” (Jeremiah 27:21). Consequently, Rabbi Zeira sought to ascend to Eretz Yisrael.

וְרַב יְהוּדָה: כְּתִיב קָרָא אַחֲרֵינָא “הַשְּׁבַעְתִּי אֶתְכֶם בְּנוֹת יְרוּשָׁלַיִם בְּצַבָּאוֹת אוּ בְאִילוֹת הַשָּׂדֶה” גו'.

The Gemara asks: **And how does Rav Yehuda respond to this argument?** The verse is clearly referring to the Temple vessels, not to the people. The Gemara answers that **another verse is written: “I adjure you, O daughters of Jerusalem, by the gazelles and by the hinds of the field, that you not awaken or stir up love, until it please”** (Song of Songs 2:7). Rabbi Yehuda derived from here that no act of redemption should be performed until a time arrives when it pleases God to bring about the redemption.

וְרַבִּי זִירָא: הֵהוּא שְׁלֵא יַעֲלוּ יִשְׂרָאֵל בְּחוּמָה. וְרַבִּי יְהוּדָה: “הַשְּׁבַעְתִּי” אַחֲרֵינָא כְּתִיב. וְרַבִּי זִירָא:

**And Rabbi Zeira maintains that the oath mentioned in that verse means that the Jews should not ascend to Eretz Yisrael as a wall,**<sup>N</sup> i.e., en masse, whereas individuals may immigrate as they wish. The Gemara asks: **And what does Rav Yehuda reply to this?** The Gemara answers that this command is derived from **another verse in which “I adjure you”** (Song of Songs 3:5) is written. The Gemara asks: **And how does Rabbi Zeira explain the repetition of this oath in these verses?**

הֵהוּא מִיַּבְעֵי לִיהַ לְכַדְרָבֵי יוֹסִי בְּרַבִּי חֲנִנְיָא. דְּאָמַר: שְׁלֹשׁ שְׁבוּעוֹת הִלְלוּ לְמָה? אַחַת – שְׁלֵא יַעֲלוּ יִשְׂרָאֵל בְּחוּמָה, וְאַחַת – שֶׁהַשְּׁבִיעַ הַקְדוּשׁ בְּרוּךְ הוּא אֶת יִשְׂרָאֵל שְׁלֵא יִמְרְדוּ בְּאוֹמוֹת הָעוֹלָם, וְאַחַת – שֶׁהַשְּׁבִיעַ הַקְדוּשׁ בְּרוּךְ הוּא אֶת הַגּוֹיִם שְׁלֵא יִשְׁתַּעֲבְדוּ בְּהֵן בְּיִשְׂרָאֵל יוֹתֵר מִדְּאִי.

The Gemara explains: **That verse is necessary for that** which was taught by Rabbi Yosei, son of Rabbi Hanina, who said: **Why are these three oaths** (Song of Songs 2:7, 3:5, 8:4) needed? **One**, so that the Jews should not ascend to Eretz Yisrael as a wall, but little by little. **And another one**, that the Holy One, Blessed be He, adjured the Jews that they should not rebel against the rule of the nations of the world. **And the last one** is that the Holy One, Blessed be He, adjured the nations of the world that they should not subjugate the Jews excessively.

וְרַב יְהוּדָה: “אִם תַּעֲרִי וְאִם תַּעֲזְרוּ” כְּתִיב. וְרַבִּי זִירָא:

**And how does Rav Yehuda respond?** It is written: **“That you not awaken or stir up love”** (Song of Songs 2:7), which serves to amplify and include a prohibition against Jews immigrating to Eretz Yisrael. The Gemara asks: **And how does Rabbi Zeira explain the extra emphasis of this phrase?**

מִיַּבְעֵי לִיהַ לְכַדְרָבֵי לְוִי, דְּאָמַר: שֵׁשׁ שְׁבוּעוֹת הִלְלוּ לְמָה? תְּלָתָא – הֵנּוּ דְאָמְרוּ, אֵינְךָ שְׁלֵא יַגְלוּ אֶת הַקֶּץ, וְשְׁלֵא יִדְחֲקוּ אֶת הַקֶּץ, וְשְׁלֵא יַגְלוּ הַסּוּד לְגוֹיִם.

The Gemara explains: **He needs this phrase for that** which was taught by Rabbi Levi, who said: **These six oaths**, i.e., the aforementioned three verses containing oaths, each of which contains the phrase “That you not awaken or stir up,” **why are they necessary?** **Three are those that we said** and explained above. **The other three oaths** are as follows: **That those who know should not reveal the end of days; and that they should not distance the end of days by saying that it is still distant; and that they should not reveal the secret<sup>NB</sup> of the Jews to the nations.**

“בְּצַבָּאוֹת אוּ בְאִילוֹת הַשָּׂדֶה” אָמַר רַבִּי אֱלֵעָזָר: אָמַר לְהֵם הַקְדוּשׁ בְּרוּךְ הוּא לְיִשְׂרָאֵל: אִם אֶתְם מְקַיְּמִין אֶת הַשְּׁבִיעָה – מוֹטָב, וְאִם לֹא – אֲנִי מַתִּיר אֶת בְּשָׂרְכֶם בְּצַבָּאוֹת וּבְאִילוֹת הַשָּׂדֶה.

§ The Gemara discusses a phrase in the verse cited above. “I adjure you, O daughters of Jerusalem, by the gazelles and by the hinds of the field” (Song of Songs 2:7). Rabbi Elazar said: **The Holy One, Blessed be He, said to the Jewish people: If you fulfill the oath, it is good, and if not, I will abandon your flesh and all will devour you like the gazelles and like the hinds of the field.**

NOTES

שְׁלֵא יַעֲלוּ – The Jews should not ascend as a wall – Rashi explains that they should not immigrate all together, in a forceful manner. Others maintain that this refers to a literal wall, i.e., they should not engage in rebuilding the walls and the fortifications of the country without permission from the ruling authorities (Maharsha).

שְׁלֵא יַגְלוּ – That they should not reveal the secret – אֶת הַסּוּד: Some explain that this refers to the secrets of the intercalation of the calendar (Rashi in his first interpretation; Rabbeinu Tam). The Ritva indicates that his text actually contained the phrase: The secret of the intercalation of the calendar, and he states, citing Rabbeinu Tam, that this must not be revealed to gentiles. Others interpret this statement homiletically, that one should not reveal the secret of these oaths to the nations of the world (Eshel Avraham).

BACKGROUND

לְגַלּוֹת אֶת הַסּוּד – To reveal the secret – Most commentaries explain that this refers to secrets of the Torah, either secrets regarding the meaning of the Torah itself, which were exclusively for Jews, or the secrets of the calculation of the calendar, i.e., traditions and details that are not part of the basic calculations but are essential for the intercalation of the calendar. However, it is possible that this refers to other secrets that are not necessarily connected to the Torah. On an inscription discovered at Ein Gedi a curse is pronounced upon one who reveals the city's secrets. This possibly refers to matters of security, e.g., secret routes into the city and the like. Alternatively, the Gemara might be speaking of professional secrets, as it is stated elsewhere that Jewish artisans who revealed their professional trade secrets would be ousted from their trades, while those who kept trade secrets were allowed to remain in their professions.



Mosaic found in Ein Gedi pronouncing a curse upon one who reveals the city's secrets

HALAKHA

Anyone who resides in Eretz Yisrael dwells, etc. – כל הָדָר – כל הָדָר: All those who live in Eretz Yisrael have their sins forgiven, as stated by Rabbi Elazar (Rambam Sefer Shofetim, Hilkhot Melakhim 5:11).

Anyone who is buried in Eretz Yisrael – כל הַקְּבוּר בְּאֶרֶץ יִשְׂרָאֵל: All those who are buried in Eretz Yisrael achieve atonement. The spot where the dead are laid to rest is likened to the altar of atonement, as stated by Rav Anan (Rambam Sefer Shofetim, Hilkhot Melakhim 5:11).

One who was absorbed while alive is not similar, etc. – אינו דומה קולטתו מחיים וכו': The verse "You shall die in an unclean land" (Amos 7:17) teaches that one who was absorbed by Eretz Yisrael only after he died cannot be compared to a person who actually lived there, in accordance with the opinion of Rabbi Elazar. Nevertheless, the greatest of the Sages would bring their dead to Eretz Yisrael for burial, as can be derived from the instructions of Jacob and Joseph (Rambam Sefer Shofetim, Hilkhot Melakhim 5:11).

It is prohibited to leave Babylonia, etc. – אסור לצאת מבבל: Just as it is prohibited to leave Eretz Yisrael for other lands, so too, it is prohibited to leave Babylonia, as it is stated: "They shall be carried to Babylon and there they shall be" (Jeremiah 27:22). Some commentaries maintain that according to the opinion of the Rambam even Eretz Yisrael is included in the list of prohibited destinations (Rambam Sefer Shofetim, Hilkhot Melakhim 5:12, and Kesef Mishne there).

NOTES

So too, is it prohibited to leave Babylonia – כך אסור לצאת מבבל: Rashi explains that this is because Babylonia was a place of Torah (see Meiri). Others contend that if this was the reason for the prohibition, when the schools of Babylonia closed, then that country should no longer have any advantage over other locations; conversely, this principle should apply to other places of Torah (Rabbi Ya'akov Emden). However, the Rambam indicates that the source of the prohibition is the special decree "They shall be carried to Babylon and there they shall be" (Jeremiah 27:22).

BACKGROUND

Bei Kuvei – בני כובי: Bei Kuvei was a village six parasangs, about 24 km, from Pumbedita.

Astonia – אסתוניא: Some maintain that this is not the name of place but a term derived from the Persian ostān, meaning province. Accordingly, it means the city that was host to the seat of the regional government. Based on the context, other commentaries suggest that it refers to the city Firuz Shabur, which was near Pumbedita.

אמר רבי אלעזר: כל הדר בארץ ישראל שרוי בלא עון, שנאמר "ובל יאמר שכן חליתי העם היושב בה נשוא עון". אמר ליה רבא לרב אשי: אגן בסובלי חלאים מתנינן לה.

אמר רב ענן: כל הקבור בארץ ישראל – באילו קבור תחת המזבחה, כתיב הכא "מזבחה אדמה תעשה לי" וכתיב התם "יכפר אדמתו עמו".

עולא הוה רגיל דהוה סליק לארץ ישראל, נח נפשיה בחוץ לארץ. אתו אמרו ליה לרבי אלעזר, אמר: אנת עולא "על אדמה טמאה תמות". אמרו לו: ארונו בא. אמר להם: אינו דומה קולטתו מחיים לקולטתו לאחר מיתה.

ההוא גברא דנפלה ליה יבמה בי חוואה, אתא לקמיה דרבי חנינא, אמר ליה: מהו למיחת ולבמה?

אמר ליה: אחיו נשא כותית ומת – ברוך המקום שהרו, והוא ירד אחריו?

אמר רב יהודה אמר שמואל: בשם שאסור לצאת מארץ ישראל לבבל – כך אסור לצאת מבבל לשאר ארצות. רבה ורב יוסף דאמרי תרוניהו: אפילו מפומבדיתא לבי כובי. ההוא דנפק מפומבדיתא לבי כובי, שמתיה רב יוסף. ההוא דנפק מפומבדיתא לאסתוניא – שכיב. אמר אביי: אי בעי האי צורבא מרבנן הוה חיי.

Rabbi Elazar said: Anyone who resides in Eretz Yisrael dwells<sup>H</sup> without transgression, as it is stated: "And the inhabitant shall not say: I am sick; the people that dwell there shall be forgiven their iniquity" (Isaiah 33:24). Rava said to Rav Ashi: We learned this promise with regard to those who suffer from sickness. The phrase "I am sick" indicates that they are the ones who are forgiven their sins.

Rav Anan said: Anyone who is buried in Eretz Yisrael<sup>H</sup> is considered as though he is buried beneath the altar. It is stated here: "An altar of earth [adama] you shall make for Me" (Exodus 20:21), and it is stated there: "For He does avenge the blood of His servants, and renders vengeance to His adversaries, and atones for the land of [admato] His people" (Deuteronomy 32:43). This teaches that one who is buried in the earth of Eretz Yisrael is considered as though he is buried beneath the altar in the Temple.

The Gemara relates: Ulla<sup>P</sup> was accustomed to ascend to Eretz Yisrael from time to time. However, he died outside of Eretz Yisrael. They came and said to Rabbi Elazar that Ulla had passed away. He said: Woe for you Ulla, as through you a verse was fulfilled: "You shall die in an unclean land" (Amos 7:17). They said to him: But his coffin is coming for burial in Eretz Yisrael. He said to them: Even so, one who was absorbed by the soil of Eretz Yisrael while he was yet alive is not similar<sup>H</sup> to one who was absorbed only after death.

The Gemara relates with regard to a certain man from Eretz Yisrael that a yevama, i.e., a woman whose childless husband died and left a surviving brother, happened before him, the surviving brother, for levirate marriage. This yevama was living in the district of Bei Hoza'a, far away in southeast Babylonia. The man came before Rabbi Hanina and said to him: What is the halakha as to whether I may descend to Babylonia to enter into levirate marriage with this woman?

Rabbi Hanina said to him: His brother married a Samaritan woman [kutit] and died. Rabbi Hanina described the man's late brother in these terms because he had left Eretz Yisrael to marry, and for the same reason he called his wife a Samaritan. Blessed be the Omnipresent who killed him. And yet the brother wishes to follow in his footsteps and descend after him? Better that he stay in Eretz Yisrael.

Rav Yehuda said that Shmuel said: Just as it is prohibited to leave Eretz Yisrael and go to Babylonia, so too, is it prohibited to leave Babylonia<sup>HN</sup> for any of the other lands. Rabba and Rav Yosef both say: Even to go from Pumbedita to Bei Kuvei,<sup>B</sup> which is located beyond the border of Babylonia proper, is not permitted. The Gemara relates: A certain man left Pumbedita to live in Bei Kuvei, and Rav Yosef excommunicated him. A certain man left Pumbedita to live in Astonia,<sup>B</sup> which also lay beyond the borders of Babylonia proper, and he died. Abaye said: Had this Torah scholar wanted, he would still be alive, as he could have stayed in Babylonia.

PERSONALITIES

Ulla – עולא: Ulla was an amora of Eretz Yisrael and the most important of the emissaries of the Sages. Apparently, his full name was Ulla bar Yishmael. Ulla was a disciple of Rabbi Yohanan and a regular messenger who brought the Torah of Eretz Yisrael to Babylonia. He would likewise transfer innovative Torah ideas of the Babylonian Sages back to Eretz Yisrael. Ulla would journey to and from the two countries frequently and would even go from place to place to teach Torah. For this reason Yalta, wife of Rav Nahman, would call him mahadurei, meaning peddler. Ulla was held in very high esteem by the

Sages of Babylonia; Rav Hilda would call him: Our Sages who come from Eretz Yisrael, and Rav Yehuda sent his son to Ulla to learn from his customs. In the Jerusalem Talmud Ulla is usually called by his full name, Rabbi Ulla bar Yishmael, or Ulla Nahuta, the one who descends. Many Sages of the next generation were his disciples. Little is known of Ulla's personal life, although it is possible that the amora Rabba bar Ulla was his son. Ulla passed away on one of his journeys to Babylonia, and he was brought back to be buried in Eretz Yisrael.

**הוצל דבנמין** – **Hutzal deVinyamin** – The city of Hutzal was near Neharde'a, on the River Euphrates. This was an ancient city, as the Talmud states that it was walled in the days of Joshua and that it had a Jewish population from the days of Jehoiachin. It was called Hutzal deVinyamin, Hutzal of Benjamin, because its original settlers were exiles from the tribe of Benjamin. It has been said that the Divine Presence rests on its synagogue. For many generations, Hutzal was an important center of Torah and some of the last *tanna'im* were Hutzalites. Furthermore, in the times of the *amora'im* it Hutzal was apparently home to an independent school where several Sages studied.

## HALAKHA

**כל המהלך** – **כל המהלך** – Anyone who walks four cubits, etc. – **ארבע אמות וכו'** – Even one who merely walks four cubits in Eretz Yisrael has earned for himself a place in the World-to-Come, as stated by Rabbi Yohanan (Rambam *Sefer Shofetim, Hilkhot Melakhim* 5:11).

רבה ורב יוסף דאמר תרווייהו: בשרין שבבבל – ארץ ישראל קולטתן, בשרין שבשאר ארצות – בבבל קולטתן. למאי? אילימא ליוחסין – והאמר מר: כל הארצות עיפה לארץ ישראל, וארץ ישראל עיפה לבבל! אלא לענן קבורה.

Rabba and Rav Yosef both say: With regard to the worthy of Babylonia, Eretz Yisrael absorbs them; with regard to the worthy of other lands, Babylonia absorbs them. The Gemara asks: With regard to what matter did they issue this statement? If we say that they were referring to matters of lineage, didn't the Master say: Lineage of residents of all lands are muddled compared to that of Eretz Yisrael, and lineage of residents of Eretz Yisrael is muddled compared to that of Babylonia. This means that the lineage of Babylonians was purer than that of the residents of Eretz Yisrael. Rather, they taught this with regard to matters of burial, i.e., the worthy of Babylonia are buried in Eretz Yisrael.

אמר רב יהודה: כל הדר בבבל – כאילו דר בארץ ישראל, שנאמר "הוי ציון המלטי יושבת בת בבל". אמר אביי: נקטינן, בבל לא תזיא חבלי דמשיית. תרגמה אהוצל דבנמין וקרו ליה "קרנא דשיזבטא".

Rav Yehuda said: With regard to anyone who resides in Babylon, it is as though he is residing in Eretz Yisrael, as it is stated: "Ho Zion, escape, you who dwells with the daughter of Babylon" (Zechariah 2:11). This verse equates the two countries. Abaye said: We have a tradition that Babylonia will not see the pangs of the Messiah, i.e., it will be spared the suffering that will be prevalent at the time of his arrival. Abaye interpreted this statement in reference to the city of Hutzal deVinyamin<sup>b</sup> in Babylonia, and as a result people call it Karna deShizavta, Horn of Salvation, as its residents will not endure the travails of the time of the Messiah.

אמר רבי אלעזר: מתים שבחוץ לארץ אינם חיים, שנאמר "ונתתי צבי בארץ חיים" ארץ שצביוני בה – מתיה חיים, שאין צביוני בה – אין מתיה חיים.

**S** Rabbi Elazar said: The dead of the lands outside of Eretz Yisrael will not come alive and be resurrected in the future, as it is stated: "And I will set glory [tzvi] in the land of the living" (Ezekiel 26:20). This teaches that with regard to a land which contains My desire [tzivyon], its dead will come alive; however, with regard to a land which does not contain My desire, i.e., outside of Eretz Yisrael, its dead will not come alive.

מתב רבי אבא בר ממל: "יחיו מתיה נבלתי יקומון" מאי לאו "יחיו מתיה" – מתים שבארץ ישראל: "נבלתי יקומון" – מתים שבחוץ לארץ, ומאי "ונתתי צבי בארץ חיים" – אנבוכד נצר הוא דכתב, דאמר רחמנא: מיינתא עליהו מלכא דקליל כי טביא!

Rabbi Abba bar Memel raised an objection from a different verse: "Your dead shall live; my dead bodies shall arise" (Isaiah 26:19). What, is it not the case that the phrase "Your dead shall live" is referring to the dead of Eretz Yisrael, whereas the subsequent phrase "My dead bodies shall arise" is referring to the dead of the lands outside of Eretz Yisrael? And if so, what is the meaning of the verse "And I will set glory [tzvi] in the land of the living"? This verse is written with regard to Nebuchadnezzar, as the Merciful One states: I will bring upon you a king who is as swift as a deer [tzvi].

אמר ליה: רבי מקרא אחר אני דורש "נותן נשמה לעם עבדי עליה ורוח להולכים בה". ואלא דכתיב "נבלתי יקומון"? ההוא בגמלים הוא דכתיב.

Rabbi Elazar said to Rabbi Abba bar Memel: My teacher, I teach it from a different verse, as it is stated: "He gives breath to the people upon it, and spirit to they who walk there" (Isaiah 42:5). This indicates that the future resurrection is specifically for those who dwell in Eretz Yisrael. Rabbi Abba retorted: But isn't it written: "My dead bodies shall arise"? How do you interpret this verse? Rabbi Elazar replied: That verse is not referring to those living outside Eretz Yisrael; rather, it is written with regard to stillborns, as they too will merit resurrection.

ורבי אבא בר ממל, האי "נותן נשמה לעם עבדי עליה" מאי עבדי ליה? מיבעי ליה לכדרבי אבהו. דאמר רבי אבהו: אפילו שפחה כנענית שבארץ ישראל מובטח לה שהיא בת העולם הבא, קתיב הקא "לעם עליה" וכתב התם "שבו לכם פה עם החמור" – עם הדומה לחמור.

The Gemara asks: And what does Rabbi Abba bar Memel do with this verse "He gives breath to the people upon it"? The Gemara answers: He requires that verse for that which was taught by Rabbi Abbahu. As Rabbi Abbahu said: Even a Canaanite maidservant in Eretz Yisrael is assured a place in the World-to-Come. It is written here: "To the people [la'am] upon it," and it is written there: "Abide you here with [im] the donkey" (Genesis 22:5). This verse in Genesis is traditionally interpreted to mean: A people [am] that is similar to a donkey, from which it may be inferred that even the members of this people merit a share in the world to come.

"רוח להולכים בה" – אמר רבי ירמיה בר אבא אמר רבי יוחנן: כל המהלך ארבע אמות בארץ ישראל מובטח לו שהוא בן העולם הבא.

With regard to the aforementioned verse "And spirit to they who walk there" (Isaiah 42:5), Rabbi Yirmeya bar Abba said that Rabbi Yohanan said: Anyone who walks four cubits<sup>d</sup> in Eretz Yisrael is assured of a place in the World-to-Come.

וְלִרְבֵּי אֶלְעֹזר צְדִיקִים שְׂבָחוּץ לְאֶרֶץ אֲנִים חַיִּים! אָמַר רַבִּי אֵילְעָא: עַל יְדֵי גְלָגוּל. מִתְקִיף לָהּ רַבִּי אַבָּא סָלָא רַבָּא: גְּלָגוּל לְצְדִיקִים צָעַר הוּא! אָמַר אַבְי: מַחִילוֹת נַעֲשׂוֹת לָהֶם בְּקִרְקַע.

The Gemara asks: **And according to the opinion of Rabbi Elazar, will the righteous outside of Eretz Yisrael not come alive at the time of the resurrection of the dead?** Rabbi Ile'a said: They will be resurrected by means of rolling, i.e., they will roll until they reach Eretz Yisrael, where they will be brought back to life. Rabbi Abba Salla Rava strongly objects to this: **Rolling is an ordeal that entails suffering for the righteous. Abaye said: Tunnels are prepared for them in the ground, through which they pass to Eretz Yisrael.**

”וְנִשְׂאָתָנִי מִמִּצְרַיִם וּקְבַרְתָּנִי בְּקְבוּרָתָם” אָמַר קַרְנָא: דְּבָרִים בְּגוּ, יוֹדַע הִיא יַעֲקֹב אַבְיֵנוּ שְׂצָדִיק גָּמוּר הִיא, וְאִם מִתִּים שְׂבָחוּצָה לְאֶרֶץ חַיִּים – לָמָּה הִטְרִיחַ אֶת בְּנָיו? שָׂמָא לֹא יִזְכֶּה לְמַחִילוֹת.

§ The verse states that Jacob commanded Joseph: “**You shall carry me out of Egypt and bury me in their burying-place**” (Genesis 47:30). Karna said: There are inner matters here, i.e., a secret meaning: **Our Patriarch Jacob knew that he was completely righteous, and if the dead of the lands outside of Eretz Yisrael come alive, why did he trouble his sons to bring him to Eretz Yisrael?** The reason is that he was concerned lest he not merit the tunnels.

בְּיֹצֵא בְּדָבָר אֶתָּה אוֹמֵר ”וְנִשְׂבַע יוֹסֵף אֶת בְּנֵי יִשְׂרָאֵל” וְגו'. אָמַר רַבִּי חֲנִינָא: דְּבָרִים בְּגוּ, יוֹדַע הִיא יוֹסֵף בְּעֶצְמוֹ שְׂצָדִיק גָּמוּר הִיא, וְאִם מִתִּים שְׂבָחוּצָה לְאֶרֶץ חַיִּים – לָמָּה הִטְרִיחַ אֶת אַחָיו אַרְבַּע מֵאוֹת פְּרָסָה? שָׂמָא לֹא יִזְכֶּה לְמַחִילוֹת.

On a similar note, you say: “**And Joseph took an oath of the children of Israel, saying: God will surely remember you, and you shall carry up my bones from here**” (Genesis 50:25). Rabbi Hanina said: There are inner matters here. **Joseph knew concerning himself that he was completely righteous, and if the dead of the lands outside of Eretz Yisrael come alive, why did he trouble his brothers to carry his coffin four hundreds parasangs to Eretz Yisrael?** The reason is that he was concerned lest he not merit the tunnels.

שְׁלַחוּ לִיה אַחוּהֵי לְרַבָּה: יוֹדַע הִיא יַעֲקֹב שְׂצָדִיק גָּמוּר הִיא וְכו'. אֵילְפָא מוֹסִיף בָּהּ דְּבָרִים: מַעֲשֵׂה בְּאַחַד שְׁהִיָּה מְצֻטָּעַר עַל אִשָּׁה אַחַת וּבִיקֵשׁ לִירֵד, בֵּין שְׂשֻׁמַע בּוֹאֵת – גְּלָגַל בְּעֶצְמוֹ עַד יוֹם מוֹתוֹ.

§ Rabba's brothers sent him a letter to Babylonia from Eretz Yisrael, in which they mentioned this idea that **Jacob knew that he was completely righteous**, as detailed above. They continued by writing that Ilfa adds matters to this statement: **An incident occurred involving one who was suffering through his love for a certain woman he desired to marry, and he sought to descend from Eretz Yisrael. When he heard this idea concerning the tremendous significance of living in Eretz Yisrael, he suffered without leaving the country until the day he died.**

אֵף עַל פִּי שְׂחָכְכֶם גְּדוֹל אֶתָּה – אֵינִי דוֹמָה לוֹמֵד מֵעֶצְמוֹ לְלוֹמֵד מֵרַבּוֹ. וְאִם תֹּאמַר: אֵין לְךָ רַב – יֵשׁ לְךָ רַב, וּמִנּוּ – רַבִּי יוֹחָנָן.

Rabba's brothers further wrote in their letter: **And although you are a great Sage, one who studies by himself is not similar to one who studies from his teacher**, and therefore you should come to Eretz Yisrael. **And if you say that you do not have a teacher in Eretz Yisrael, in fact you do have a teacher. And who is he? He is Rabbi Yoḥanan.**

וְאִם אֵין אֶתָּה עוֹלָה – הִזְהַר בְּשִׁלְשָׁה דְּבָרִים: אַל תִּרְבֶּה בִּישִׁיבָה – שִׁישִׁיבָה קָשָׁה לְתַחְתּוֹנוּת, וְאֵל תִּרְבֶּה בְּעִמּוּדָה – שְׁעִמּוּדָה קָשָׁה לְלֵב, וְאֵל תִּרְבֶּה בְּהִלְכָה – שְׁהִלְכָה קָשָׁה לְעֵינַיִם. אֲלֵא, שְׁלִישׁ בִּישִׁיבָה, שְׁלִישׁ בְּעִמּוּדָה, שְׁלִישׁ בְּהִלּוּךְ.

And if you do not ascend to Eretz Yisrael, be careful in three matters: **Do not sit excessively, as sitting is harmful with regard to hemorrhoids; do not stand excessively, as standing is harmful with regard to heart trouble; and do not walk excessively, as walking is harmful with regard to eye problems. Rather, divide your time: One-third for sitting, one-third for standing, and one-third for walking.**

כָּל יְשִׁיבָה שְׂאִין עִמָּה סְמִיכָה – עִמּוּדָה נוֹחָה הֵימְנָה. עִמּוּדָה סְלָקָא דְּעֵתְךָ? וְהֵאמְרָתָּ: עִמּוּדָה קָשָׁה לְלֵב! אֲלֵא: יְשִׁיבָה

Rabba's brothers offered him more advice in their letter: With regard to **any sitting that is without support**, i.e., an object on which to lean, **standing is more comfortable than that position.** The Gemara asks: **Can it enter your mind that standing is better than sitting? Didn't you say that standing is harmful with regard to heart trouble? Rather, with regard to sitting**

שְׂאִין בָּהּ סְמִיכָה, עִמּוּדָה שְׂישׁ בָּהּ סְמִיכָה נוֹחָה הֵימְנָה.

without support, standing with a support, i.e. an object against which one can lean, is better than it.

















**אָמר לָהֶם – There is no comparison between when [Eretz Yisrael] absorbs someone while he is still alive וְקָלוּתוֹ קוֹלְטוּתוֹ מְחַיִּים – [R' Elazar] said to them: – לְקוֹלְטוֹתוֹ לְאַחַר מִיתָה [Eretz Yisrael] absorbs someone after he is already dead.** Thus, even if Ulla is buried here, it would have been preferable for him to have passed away here.<sup>[24]</sup>

The Gemara relates an incident concerning the ignoble status of lands outside of Eretz Yisrael:  
**There was a certain man – יהוהא גְבֵרָא רַבֵּיהּ רַבְּנָהּ לַיהּ וְקָמָה בִּי חוּצָאָה** in Eretz Yisrael whose brother died childless and it fell to him to enter a Levirate marriage with his sister-in-law in Bei Chozaah in Babylonia. **[This man] came before R' Chanina – אָתָא לְקַמְיָה רַבִּי חֲנִינָא** – **אָמר לַיהּ – He said to [R' Chanina]: מהוּ** – **לְמִיחָה וּלְבַרְמָה – “What is the law as to whether I am permitted to descend from Eretz Yisrael to Bei Chozaah and enter a Levirate marriage there?”** **[R' Chanina] said to him, – אָמר לַיהּ – “His brother married a Cuthean woman”**<sup>[25]</sup> **and died – בְּרִיךְ הַמְקוֹם שְׁהָרְגוּ – Blessed is the Omnipresent Who killed him! – הוּוּא יוֹרֵד אֲחֶרָיו – should he now go down after him, repeating his mistake?!”**<sup>[26]</sup>

The Gemara notes that there is a distinction between lands outside of Eretz Yisrael:  
**Rav Yehudah said in the name of Shmuel: – בְּשֵׁם שְׂאָסוּר לְצֵאת מְאָרְץ יִשְׂרָאֵל לְכָבֵל – Just as it is prohibited to depart from Eretz Yisrael to Baby-**

The Gemara notes a different interpretation of this verse:  
**אָנָּן בְּסוּבָלֵי – Rava said to Rav Ashi: – אָמר לַיהּ רַבָּא לְרַב אַשְׁוֵי – We have taught [this verse] to be speaking about those who are burdened with illness, i.e. it is this group that the verse describes as “forgiven of sin.”**<sup>[28]</sup>

The previous teaching mentioned the capacity of Eretz Yisrael to expiate sin. Now the Gemara cites another statement in this vein:  
**Whoever is buried in Eretz Yisrael – בְּל הַקְּבוּר בְּאֶרֶץ יִשְׂרָאֵל – Rav Anan said: – אָמר רב עֲנָן – is considered as if he were buried under the Altar in the Temple, as regards the great atonement he receives.**<sup>[29]</sup> **כְּתִיב הִכָּא , מְזוּבָּה – We derive this from Scripture’s usage of parallel terms in two contexts: It is written here:**<sup>[20]</sup> **Make for Me an earthen Altar; – וְהָיָה הָהֵם , וַיִּכְפַּר אֲדָמָתוֹ עִמּוֹ – and it is written there: and the earth shall atone for His nation.**<sup>[21]</sup>

The previous statement dealt with burial in Eretz Yisrael. The Gemara now relates an incident bearing upon this topic:  
**Ulla was accustomed to עוֹלָא הָהוּא רַבְּגִיל רַבְּהוּ סָלִיק לְאֶרְץ יִשְׂרָאֵל – Ulla came and went between Eretz Yisrael and the Diaspora.**<sup>[22]</sup> **– הָאָז בְּפִשְׁיָהּ בְּחוּץ לְאֶרְץ יִשְׂרָאֵל – He passed away outside of Eretz Yisrael.** **אָתָּו אָמְרוּ לַיהּ לְרַבִּי אֶלְעָזָר – They came and told R’ Elazar that Ulla had died in the Diaspora.** **[R’ Elazar] remarked, – אָמר – אָתָּה עוֹלָא , עַל-אֲדָמָה – You, Ulla, shall you die upon contaminated soil?!”**<sup>[23]</sup> **– אָרוּנוּ בָּא – They told [R’ Elazar], אָמְרוּ לוֹ –**

NOTES

exiled and the Temple destroyed on account of their sins? Also, even Yom Kippur does not atone for someone who sins and relies upon Yom Kippur to atone for him. Rather, Eretz Yisrael does not atone for the brazenly wicked. To the contrary, regarding such evil men, God says (*Jeremiah 2:7*): *I brought you into a fruitful land, to eat its fruit and bounty; but you came and contaminated My land, and made My heritage into an abomination (see also Sefer HaCharedim, Mitzvos HaTeluyos BaAretz 2:15 and Shelah, Shaar HaOsiyos 2:15 and Shelah, Shaar HaOsiyos 2:15 and Shelah, Shaar HaOsiyos 2:15).*

18. According to this interpretation, the verse does not speak in reference to Eretz Yisrael at all, and it should be read as follows: *Let the neighbor [of mine as I suffer from illness] not speak [joyfully of that which] I am afflicted [hoping that I will die, because that is not the purpose of this suffering. Rather, the purpose is to render all] the people living amidst [suffering] forgiven of sin (see Maharsha).*

[In our text, the Gemara states that this interpretation was spoken by Rava to Rav Ashi. If the Gemara is referring to the most famous Amoraim by those names, this is problematic because the Gemara in *Kiddushin 72b* states that Rav Ashi was born when Rava passed away, so they could not have spoken to each other: In the *Ein Yaakov’s* text, it is *Ravina* who speaks to Rav Ashi: These two were contemporaries (see *Bava Metzia 86a*). In the *Yalkut Shimoni* (to *Isaiah* loc. cit.), it is *R’ Abba* who speaks to Rav Ashi. (Alternatively, “Rava” and/or “Rav Ashi” refer to lesser-known Amoraim by these names who did live at the same time.) There is also a well-established version of the text in *Kiddushin* that states Rav Ashi was born before Rava passed away. According to this version, Rav Ashi could have been a disciple of Rava, as some other sources indeed indicate (see *Toldos Tannaim V’Amoraim*.)]

19. The earth God used to create Adam, the first man, was taken from the future location of the Altar [in Jerusalem] (*Rambam, Hil. Beis HaBechirah 2:2* [see *Kesef Mishneh* ad loc.] and *Yalkut Shimoni, Bereishis* §2). The Gemara’s metaphor of being buried under the Altar means that a person returns to his source in a pristine state, unswayed by the sins of this world, just as his soul returns to its sublime source in a state of purity. With this background, Rav Anan says that a person who is buried *anywhere* within Eretz Yisrael attains the atonement of being “buried in the location of the Altar” (*Maharsha*).

[Certainly, the Gemara does not suggest that there would be a special merit in being buried under the Altar in a literal sense. The presence of a corpse under the Altar could cause massive contamination and bring the Temple service to a standstill (see *Yerushalmi Pesachim 9:1*). Rather, the Gemara speaks of burial there metaphorically, that the

6) ליל בחופה וכן כמקור יבואו ע"י ע"כ 6) נמשך דליל בחופה ויכיל ע"י דתא קתמא רבא טלך רב טלך בחופה קדושתו עב: וינלטו לילת ר' אבא, 7) [נחשתה למתק ע"י סי'ה, 8) נ"ל אם אחרי של זה נשא רש"ע, 9) [ה'נשן 97 ה', 10) [קדושתו ע"י הרף 66, 11) [קדושתו ע"י וינחוט טב' ז"ל מע. 66, 12) [קדושתו ע"י וינחוט טב' ז"ל מע. 66, 13) [נ"ל ש"ע 17, 14) [קדושתו ע"י וינחוט טב' ז"ל מע. 66, 15) [נ"ל ש"ע 17, 16) [נ"ל ש"ע 17, 17) [נ"ל ש"ע 17, 18) [נ"ל ש"ע 17, 19) [נ"ל ש"ע 17, 20) [נ"ל ש"ע 17, 21) [נ"ל ש"ע 17, 22) [נ"ל ש"ע 17, 23) [נ"ל ש"ע 17, 24) [נ"ל ש"ע 17, 25) [נ"ל ש"ע 17, 26) [נ"ל ש"ע 17, 27) [נ"ל ש"ע 17, 28) [נ"ל ש"ע 17, 29) [נ"ל ש"ע 17, 30) [נ"ל ש"ע 17, 31) [נ"ל ש"ע 17, 32) [נ"ל ש"ע 17, 33) [נ"ל ש"ע 17, 34) [נ"ל ש"ע 17, 35) [נ"ל ש"ע 17, 36) [נ"ל ש"ע 17, 37) [נ"ל ש"ע 17, 38) [נ"ל ש"ע 17, 39) [נ"ל ש"ע 17, 40) [נ"ל ש"ע 17, 41) [נ"ל ש"ע 17, 42) [נ"ל ש"ע 17, 43) [נ"ל ש"ע 17, 44) [נ"ל ש"ע 17, 45) [נ"ל ש"ע 17, 46) [נ"ל ש"ע 17, 47) [נ"ל ש"ע 17, 48) [נ"ל ש"ע 17, 49) [נ"ל ש"ע 17, 50) [נ"ל ש"ע 17, 51) [נ"ל ש"ע 17, 52) [נ"ל ש"ע 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