

Daf Hashvuah Halacha Gemara and Tosfos Taanis Daf 4
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Daf 6a
New Sugya

We learned: when is the time for the first rain? R' Meir says: the early one is on the third of Cheshvon, the middle one is on the seventh of that month, the later one is on the seventeenth of that month. R' Yehuda says: the three times are the seventh, seventeenth and twenty-third day of Cheshvon. R' Yossi says: the three times are the seventeenth and twenty-third day of Cheshvon and Rosh Chodesh Kisleiv. We find similar that R' Yossi says that the individuals (i.e., Tzadikim) don't start fasting until it reaches Rosh Chodesh Kisleiv (and it didn't rain). [This shows he holds that this was the date of the last of the rains.] R' Chisda says that the Halacha is like R' Yossi.

Ameimer taught R' Chisda's statement (that says the Halacha is like someone) was said on the following: the Tanna Kama says: we ask for rain on the third of Cheshven. R' Gamliel says: you ask on the seventh of that month. On that, R' Chisda says that the Halacha is like R' Gamliel.

The Gemara asks: who does the following statement agree with? As we learned: R' Shimon b. Gamliel says: if you have seven consecutive days of rain, you can consider it as the first, second and third rains. Who is it like? It's like R' Yossi.

Tosfos explains: the rain came down seven consecutive days without stop, you can count it for the first and second rains. This is because; since it didn't stop for seven days, and there isn't but seven days between the seventeenth and the twenty-third, i.e., the 17th, 18th, 19th, 20th, 21st 22nd and 23rd.

However, we don't have the text (the second) and third. After all, if it starts raining on the twenty-third, and if it will rain seven consecutive days, it wouldn't fall out on the day of the third rain, since there is eight days from the twenty-third until Rosh Chodesh Kisleiv. However, the people of Nervona have the text "rain that fell for seven consecutive days, you count it for the second and third rains." How is this? If it starts raining in the middle of the day, and it rains seven consecutive days (i.e., seven twenty-four hour periods), then it will finish falling half way through Rosh Chodesh.

R' Chisda says that the Halacha is like R' Yossi. The Gemara asks: I understand why you need to know the Halacha for the first rains, to know when you need to ask for rain. You need to know when's the third rains to know when (the individuals) start to fast, but why do you need to know when the second rains starts?

R' Zeira answers: you need it regarding a Halacha by oaths.

Daf 6b

As we learned in a Mishna: if someone makes an oath "until the rains" or "until there will be rain," he's forbidden until the second rain. (Since the definition for oaths are base on what people call it, and they call "the rains" by the second rain.)

R' Z'vid answers: you need it regarding a Halacha by olives. As we learned in a Mishna: (after the poor give up [Yiyush] from gathering any more of the produce left for them, it's permitted for everyone to take them.) From when is everyone permitted to take Leket, Shichicha and Peah (different types of produce left for the poor)? When the 'Nemushos' come. (We'll define it later.) They're permitted to take Peret and Olilos (grapes left for the poor), when the poor left the vineyard (for the first time) and reentered (to gather all what's left). By olives, it's by the second rains.

The Gemara asks: what are the "Nemushos?" R' Yochanan says that they're the old people that gather slowly.

Tosfos explains: that they walk with their canes and lean on them. As the Targum of the Pasuk by Yoav "he held his cane," says 'on his Tigra'

Reish Lakish says that they're those who have their son gathering after them.

R' Pappa answers: you need it regarding the Halacha of walking on a private path. As the master says: (Beis Din enacted that) everyone may take shortcuts (through his friend's fields) [**Tosfos explains: in the path going through fields and vineyards**] until the second rains (when it becomes detrimental to the grains that were planted). [**Tosfos explains: from that time and on, (trampling) damages it.**]

R' Nachman b. Yitzchok answers: you need it regarding a Halacha of getting rid of Shvivos' fruit. As we learned in a Mishna: until when can you have pleasure and burn (as fuel) hay grown on Shvivos? Until the second rains. Why is this? Because the Pasuk says "to your domestic animal and wild animal that's in your land." This teaches us: as long as there are left in the field for the wild animals to eat, you may feed your domestic animals from what you gathered in your house. However, if it's finished in the field, that there is no more for the wild animals, you have to stop feeding your animal from what you gathered in your house.

Tosfos explains: we refer to produce during the eighth year. This holds like the opinion that grain that grows by itself during Shvivos is permitted. However, according to R' Akiva who forbids grain that grew by itself from the Pasuk of "they can't be planted and they can't be gathered," as it's explained in Pesachim, we need to say that the Pasuk of "the domestic and wild animals etc.," (that only forbids the produce after it no longer exists in the field), teaches us about produce that grew by itself on trees. (Although it says 'T'vuah,' which generally refers to grain), you must say that it's not exact, but refers to vineyards, which is a tree, and the Pasuk refers to as " 'T'vuah' of the vineyard." However, grain that grew by itself would be forbidden.