



Has Dawn Broken?

We learnt this week that after the lottery was performed to determine which *kohen* would take part in the *korban Tamid*, it was not yet time to start. The *Mishnah* (3:2) teaches that the *memune* would instruct an individual to go to a high vantage point to check whether dawn had broken. He was also asked to confirm that the entire eastern side had lit up. *Matya ben Shemuel* adds that if he responded that it had, then he would be asked to confirm whether the lit-up sky had stretched all the way to *Chevron*. The *Bartenura* explains that the inclusion of *Chevron* was to refer to the *avot* that are buried there.

This *Mishnah* may sound familiar. That is because the same process is described in *Yoma* (3:1) as occurring on *Yom Kippur*. The *Yerushalmi* there questions how we can rely on a single witness for this purpose.

The *Yerushalmi* answers that we can because it is a matter that other can work out. The *Korban HaEidah* explains that it is because in a short amount of time it will be light below if he is telling the truth. *R' Chaim Kanievsky* explains that he can be relied upon in this case, because anyone could readily also ascend to that location and see for themselves. The *Yerushalmi* persists that since it is a matter of timing, even if someone were to, according to *R' Chaim*, check for themselves, perhaps the lighting changed in that intervening period. The *Gemara* answers that this is something that could still be calculated whether the person was telling the truth.

One might ask, that since this is a matter of *issurim*, one witness is ordinarily believed. That being the case, why is this case different such that the *Gemara* questioned whether we can rely on the single witness?

The *Chazon Yechezkel* (*Yoma* 1:13) explains that in this case there is a *chazaka* that it is nighttime. It was night prior to this point, and it is assumed to continue to be so unless we know otherwise. In this case we are relying on

the single witness to break that *chazakah*. Consequently, we would no longer apply the principle that single witness is trusted in the case of *issurim* in the face a *chazaka* that says otherwise, were it not for the answers provided by the *Yerushalmi*.

He brings a further proof from the *Rosh* (*Horayot* 4a) who explains that if someone brought their *korban* during *bein ha'shmashot* (twilight) there would be a doubt whether the *korban* achieved an atonement. That is because *korbanot* can only be offered during the daytime. The *Rosh* explains that he would nevertheless not be required to bring an *Asham Talui* – an offering that one brings in a case of doubt – because we rely on the *chazakah* that it was daytime. The support is that a *chazakah* can apply to daytime or nighttime, despite this *chazakah* being one that will eventually change on its own.

The *Yerushalmi* however continues that a single witness is believed if he says that a child was born on *Shabbat*, such that he can have his *brit millah* on *Shabbat*. This is despite there being an existing *chazakah* that the child is still within his first seven days after birth. Nevertheless, it would seem that a single witness is indeed believed even if it is breaking a *chazakah*.

The *Chazon Yechezkel* explains there is a difference between the two cases. He explains that in the case of the *brit millah*, the doubt was not regarding time itself. We know what day of the week it is. The question was regarding on which day the child was born – Friday or *Shabbat*. Once that is established, the question of whether the child can have a *brit millah* or not resolves itself. In our case however, the doubt was regarding time – is it still night or already daytime. Consequently, in that case, were it not for the fact that anyone could readily clarify the matter, the single witness would not be believed.

Revision Questions

תמיד בי: ג' – ג' ט'

- What was different about this process during *Yom Tov*? (בי: ב')
- What wood was not fit for use for the fire on the *mizbeach*? (גי: ג')
- Which wood did they prefer to use? (גי: ג')
- Describe the *ma'aracha gedolah*. (בי: ד')
- What was the second fire on the *mizbeach* used for and where was it located? (בי: ה')
- Why was the size of the second fire larger on *Shabbat*? (בי: ה')
- Where was the second "lottery" performed? (בי: ה')
- What roles were determined in the second lottery? (גי: א')
- What was done to determine if it was time to offer the morning *tamid*? (גי: ב')
- From where would they take the animal that would be used for the morning *tamid* offering? (גי: ג')
- What were the four chambers in the *Beit Ha'Moked*? (גי: ג')
- How many utensils were taken out from the *lishchat keilim*? (גי: ד')
- What utensil would they use to give the animal to be used for the *tamid* a drink? (גי: ד')
- What else would they do prior to slaughtering the *tamid*? (גי: ד')
- Where would they slaughter the *tamid*? Describe that location. (גי: ה')
- What would the *kohanim* elected to clean the *menorah* and inner *mizbeach* carry with them in order to carry out his task? (גי: ו')
- For what were the two small doors on each side of the gate to the *heichal* used? (גי: ז')
- Describe how the doors of the *heichal* were opened? (גי: ז')
- What were the eight/nine sounds in the *Beit Ha'Mikdash* that could be heard from *Yericho*? (גי: ח')
- What smells could be smelled all the way from *Yericho*? (גי: ח')
- How was the *mizbeach* in the *heichal* cleaned? (גי: ט')
- How was the *menorah* cleaned? (גי: ט')
- How many steps were there before the *menorah*? (גי: ט')

Shiurim

ONLINE SHIURIM

Yisrael Bankier
mishnahyomit.com/shiurim

Rabbi Reuven Spolter
mishnah.co

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rabbi E. Kornfeld
Rabbi C. Brown
http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm

APPS

Mishnah Yomit
mishnahyomit.com

All Mishnah
Orthodox Union

Mishna Yomi
Our Somayach, South Africa

Kehati

**SHIUR
ON KOL HALOSHON**

Rabbi Moshe Meir Weiss
In US dial: 718 906 6400
Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
5 April י"ה ניסן	6 April י"ט ניסן	7 April כ' ניסן	8 April כ"א ניסן	9 April כ"ב ניסן	10 April כ"ג ניסן	11 April כ"ד ניסן
Tamid 4:1-2	Tamid 4:3-5:1	Tamid 5:2-3	Tamid 5:4-5	Tamid 5:6-6:1	Tamid 6:2-3	Tamid 7:1-2

