

Makos Review Lesson 43 - Daf 9B:

1. **Mishnah - R. Yosi:** A Sonei is killed...
2. **Question:** He was not warned!
3. **Answer:** He holds like R. Yosi b'Rebbi Yehudah, who says that a Chaver (scholar) need not be warned, for warning is only to distinguish whether one is Shogeg or Mezid. (Similarly, we may assume that a Sonei was Mezid.) [Our case would then have to be dealing with a killer who is a Sonei and a scholar.]
4. **Mishnah - R. Shimon:** Sometimes a Sonei is exiled...
5. **Beraisa #1:** When does R. Shimon say that a Sonei is exiled? If the rope broke, he is exiled. If it slipped, he is not exiled.
6. **Contradiction from Beraisa #2 - R. Shimon:** He is exiled only if the Ma'agilah slipped from his hands.
7. These Beraisos argue about the rope breaking (Beraisa #1 obligates Galus, and Beraisa #2 exempts) and about slipping (Beraisa #1 exempts, and Beraisa #2 obligates)!
8. **Answer - part 1:** We can resolve breaking. Beraisa #1 discusses a Sonei, and Beraisa #2 discusses a friend;
9. **Answer - part 2:** We can resolve slipping. Beraisa #1 is like Rabbi (who exempts when the axe-blade slipped off), and Beraisa #2 is like Chachamim (who obligated exile).

THE AREI MIKLAT - CITIES OF REFUGE:

1. **Mishnah:** Galus is in one of the Arei Miklat (refuge cities). There were three in Ever ha'Yarden (East Bank), and three in Eretz Kena'an - "Es Shelosh he'Arim Titnu me'Ever la'Yarden v'Es Shelosh... b'Eretz Kena'an."
2. Until those in Eretz Kena'an were chosen, those in Ever ha'Yarden were not Kolet (absorb, i.e. to forbidden killing the murderer there, and to forbid him to leave before the Kohen Gadol dies). "Shesh Arei Miklat Tihyenah" teaches that if all six are not Kolet, none are.
3. We prepare roads between the cities and space them evenly - "Tachin Lecha ha'Derech v'Shilashta Es Gevul Artzecha."
4. We send two Chachamim with a murderer on his way to the Ir Miklat. They speak to the Go'el ha'Dam, lest he kill him on the way;
5. R. Meir says "Zeh Davar ha'Rotze'ach" - the murderer speaks for himself.