

Review of Makos Lesson 25 - Daf 6A:

Timing of the Testimony;

- (c)**(Gemara - Rava):** (They are considered one Kat [group]of witnesses) only if they all testified Toch Kedei Dibur.
- (d)**Question (Rav Acha mi'Difti):** Toch Kedei Dibur is the time needed for a Talmid to greet his Rebbi (to say three or four words, Shalom Alecha Rebbi (u'Mori)). A hundred witnesses cannot testify within this time!
- (e)**Answer (Ravina):** It suffices if each begins within Toch Kedei Dibur of the previous one.

Can the principle parties invalidate the other witnesses ?

- (f)**(Mishnah - R. Akiva):** (... Also if one of three witnesses was found to be a relative or Pasul, the testimony is invalid.)
- (g)**Question (Rav Papa):** A murder victim was an invalid witness. We should say that he disqualifies all the witnesses!
- (h)**Answer #1 (Abaye):** Yes! According to R. Akiva, the testimony is valid only if he was killed from the back (and did not see the murder).
- (i)**Question (Rav Papa):** A Nirva (the 'receiving' party in homosexual relations) is an invalid witness. He should disqualify the witnesses!
- (j)**Answer #1 (Abaye):** The testimony is valid only if he was facing away (and did not see the Shochev (the man who had relations with him)).
- (k)**Question (Rav Papa):** The murderer or the Shochev should disqualify the witnesses!
- (l)Abaye was silent.
- (m)**Answer (and Answer #2 to the previous questions - Rava):** "Yakum Davar" - witnesses are those who establish (the truth of) a matter, and not the parties that do the matter. (The parties are not considered witnesses at all.)

2)WHEN DO PESULIM INVALIDATE THE TESTIMONY?

- (a)**(Mishnah - R. Yosi):** This applies only... (Rebbi says, this is only if they warned the transgressor...)
- (b)**Version #1 - Rashi - Question:** What do we ask the invalid witnesses ((Tosfos - in monetary cases) to determine whether or not they intended to be witnesses)?
- (c)**Answer (Rava):** We ask them if they came to the scene of the incident just to see, or in order to testify about it later (Tosfos, R. Chananel; Ritva - we ask them whether they came to Beis Din to testify, or just to see what the outcome will be).
- (d)Version #2 - R. Chaim Kohen - Question: What do we ask the valid witnesses?
- (e)**Answer (Rava):** We ask them if they came to Beis Din intending to testify with the invalid witnesses.
- (f)**(Rav Yehudah):** The Halachah follows R. Yosi.
- (g)**(Rav Nachman):** The Halachah follows Rebbi.
- FINAL HALACHA: The Halacha follows Rebbi.