



Daf In Review – Weekly Chazarah

Maseches Beitzah, Daf 7 – Daf 7

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf 7---4-----

- **R' Ashi** said, when the Braisa discusses a safek being assur, it refers to a safek of whether the egg was laid on Yom Tov or the day before. Although according to **R' Yosef** and **R' Yitzchak** this is only a safek D'Rabanan and should not be assur, the reason the Braisa says it is assur is because anything which will become mutar (i.e. a davar sheyeish lo matirin) is assur as a safek and does not become batul, even if it is only a safek D'Rabanan. Therefore, since the egg will become mutar after Yom Tov, it is assur when it is a safek and does not become batul.
- A Braisa says, **Others** say in the name of **R' Eliezer**, an egg that is laid on Yom Tov may be eaten and so may its mother.
 - **Q:** What is the case of the Braisa? If it is discussing a chicken meant to be eaten, it is obvious that they both may be eaten. If the Braisa meant to tell us that the Halacha follows **B"S**, it should have only mentioned the egg, without mentioning the chicken. If it is discussing a chicken that is meant to lay eggs, then according to **R' Eliezer** (who holds of muktzeh), they should be assur!? **A:** **R' Zeira** said, the Braisa means to say that the egg can only be eaten if the chicken is eaten on Yom Tov. **Abaye** explained this to be referring to a case where the chicken was purchased without any specification. If it ends up being shechted on Yom Tov, it shows that it was meant to be eaten, and the egg can therefore be eaten as well. **A2:** **R' Mari** said, the Braisa only mentions the eating of the mother for effect, to make it sound all-encompassing, and to stress the point that all (including the egg) may be eaten.
- When Shabbos and Yom Tov are on consecutive days, **Rav** says that an egg laid on the first day may not be eaten on the second day, and **R' Yochanan** says that it may.
 - It can't be that **Rav** says it is assur because he holds that the 2 days are considered to be one long kedusha, because we find that he holds they are 2 separate kedushos. Rather, **Rav** holds of the Halacha of hachana like **Rabbah**, whereas **R' Yochanan** does not.
 - There is machlokes Tanna'im regarding this as well. A Braisa says, that the egg laid on the first of the 2 days (when Shabbos follows Yom Tov or visa-versa) may be eaten on the second day. **R' Yehuda in the name of R' Eliezer** says, the machlokes between **B"S** and **B"H** would apply in this case as well.
 - **R' Ada bar Ahava's** host asked him whether he may roast the egg that was laid on Yom Tov that fell on Friday so that he could eat it on Shabbos. **R' Ada** said, you are asking that because you think that we pasken like **R' Yochanan** who allows the egg to be eaten on the second day. However, **R' Yochanan** would not allow one to move the egg on the first day, so preparing it then would be out of the question.
 - **R' Pappa's** host asked him if he could eat an egg that was laid on Shabbos on the following day, which happened to be Yom Tov. **R' Pappa** told him to return and ask the question the next day (he had drank and did not want to pasken). When the host returned, he told him, it is good that I did not pasken yesterday, because I would have paskened like **R' Yochanan** (since the Halacha follows him when he argues with **Rav**). However, I now remember that **Rava** said that the Halacha follows **Rav** in this case (as well as in 2 other cases, which are brought in the Gemara further on), and the egg may therefore not be eaten.
 - **R' Yochanan** said, wood that fell from a tree on Shabbos may not be used for firewood on the following day when it is Yom Tov. He explained, this case is different than the case of the egg (which would be mutar to eat on Sunday). Regarding the egg, all will realize that it was not eaten on Shabbos because it is assur on the day it is laid (the issur of cooking does not prevent one from eating the egg raw). Therefore, it is mutar on the second day. Regarding the wood, people will think it wasn't used on Shabbos because one may not burn wood on Shabbos. They will think that it otherwise would be mutar. To prevent that thinking, we make it assur on the second day as well.

Daf In Review – Weekly Chazarah

- **R' Masna** said, if a piece of wood falls from a tree into an oven on Yom Tov, he should add prepared wood to the fire and may then use the fire.
 - **Q:** He will be moving the muktzeh piece of wood when he arranges the wood in the oven!? **A:** The assur piece of wood becomes batul in the majority of the prepared wood.
 - **Q:** He is being mevatel an issur l'chatchila, which we have learned may not be done!? **A:** That may not be done for a D'Oraisa, but here we are dealing with muktzeh, which is only assur D'Rabanan.
 - **Q:** According to **R' Ashi**, anything that will become mutar does not become batul while it is assur. If so, how does the assur wood become batul? **A:** He only holds that way when the assur item remains intact. Here, the wood is burned in the fire, and therefore becomes batul.
- Regarding the two days of Yom Tov outside Eretz Yisrael, **Rav** says that an egg laid on the first day may be eaten on the second day, and **R' Assi** says that it may not.
 - We can't say that **R' Assi** held that the 2 days are one kedusha, because **R' Assi** would actually make Havdalah after the first day. Rather, **R' Assi** was unsure whether the 2 days were one long period of kedusha or 2 separate days, and he therefore acted stringently on all fronts (he made Havdalah, but didn't allow the eating of the egg).
 - **R' Zeira** said, it would make sense to pasken like **R' Assi**, because today we are sure which is the real day of Yom Tov, and we still keep 2 days. This is a Rabbinic institution, and was likely made as one long kedusha.
 - **Abaye** said, it would make sense to pasken like **Rav**, because a Mishna suggests that the Rabbinic institution of 2 days of Yom Tov only applies when it is uncertain as to when the true day of Yom Tov is. This suggests that it was not instituted as one long kedusha.
 - **Q:** Based on this, why do we have 2 days of Yom Tov today? **A:** A message was sent from Eretz Yisrael to Bavel that they should continue keeping 2 days of Yom Tov as the earlier generations had done. For although they had learned how to determine the calendar, there was a concern that if a decree was made to stop them from learning Torah, they may forget how to determine the calendar and would again need 2 days of Yom Tov. It was therefore decided that they should continue keeping 2 days of Yom Tov.

-----Daf 17---5-----

- Regarding the 2 days of Rosh Hashanah, **Rav** and **Shmuel** both say that an egg laid on the first day may not be eaten on the second day (because the days of Rosh Hashanah were enacted as one long kedusha).
 - We see that the enactment was made as one kedusha (not as 2 days out of doubt) from a Mishna. The Mishna says that even when Rosh Chodesh was determined by Beis Din based on witnesses, they instituted that if the witnesses arrived after the time of Mincha on the 30th day of Elul, after the Levi'im had already sung the weekday shir for the afternoon Tamid, that they would not accept the witnesses anymore, and would make the next day be Rosh Chodesh (and Rosh Hashanah). That meant that there were 2 days of Rosh Hashanah that year (they would have to keep the 30th day as Yom Tov in case witnesses came at some point that day, and they continued keeping it as Yom Tov even after the time of Mincha arrived). We see that this was enacted as a 2 day Yom Tov, but not because of doubt as to which day was correct.
 - **Rabbah** said, from the time of the enactment of **R' Yochanan ben Zakkai** with his beis din, an egg laid on the first day is mutar to be eaten on the second day. After the Churban, **R' Yochanan ben Zakkai** again accepted witnesses even after the time for Mincha.
 - **Q: Abaye** asked, we said that **Rav** and **Shmuel** both said that it may not be eaten!? **A: Rabbah** answered, that doesn't prevent **R' Yochanan ben Zakkai** from arguing with them!
 - **Rav** and **Shmuel** would say that they were discussing the Halacha for people in Chutz La'aretz, and **R' Yochanan ben Zakkai** was discussing the Halacha for people of Eretz Yisrael.

Daf In Review – Weekly Chazarah

- **R' Yosef** said that even after the time of **R' Yochanan's** enactment, an egg laid on the first day may not be eaten on the second day. The reason is that the original 2-day enactment was made by a number of **Rabanan**, and such an enactment cannot be repealed unless another group of **Rabanan** were to reverse it.
 - We see that this is the only way to reverse a prior enactment from: 1) The pasuk says that Hashem told Moshe after Matan Torah, to tell the Yidden that they may return to their wives. Now, the Yidden were already told that they can't be with their wives for 3 days, so automatically they could return after that time. Why the need to specifically tell them? We see that an enactment made must be reversed by another "group". 2) Even if you say that the previous pasuk was stated to tell the Yidden to do the mitzvah of "onah", another pasuk says, that after the shofar blows, the Yidden we allowed to go on Har Sinai. Now, the pasuk had already said that they may not go on the mountain for as long as the Shechina rested upon it. Why the need to specifically permit it later? It must be because an enactment made must be reversed by another "group"; 3) Even if you want to say that that only teaches for a case of D'Oraisa, a Mishna tells how a Rabbinic enactment (i.e. the bringing of the fruit of the 4th year of a tree to Yerushalayim, without the option to redeem it and bring the money in its place) was reversed based on a later group of **Rabanan**.
 - **R' Yosef** explained, if you will think that the egg is now mutar on the second day because **R' Yochanan** reversed the earlier enactment, that is not accurate. **R' Yochanan** only reversed the enactment of not accepting witnesses after Mincha, he did not reverse the enactment of the egg being assur.
 - **Q: Abaye** asked, there was no separate enactment on eggs! The status of the egg was dependent on the enactment of accepting witnesses!?
- **R' Ada** and **R' Shalman** said that even after **R' Yochanan's** enactment the egg is assur on the second day. For even though at this time the 2 days are no longer based on a reason for them to be considered one long kedusha, we must be concerned that when the Beis Hamikdash is very soon built, people will not realize that the 2 days will then have the status of one long kedusha and the egg will therefore be assur. To prevent this confusion from happening, the egg is assur on the second day Rosh Hashanah in today's times as well.
 - **Q:** Based on this concern, we should also not change the allowable time for accepting witnesses!? **A:** Only Beis Din accepts the witnesses and there is no concern that they will make that mistake.
- **Rava** said, even after **R' Yochanan's** enactment the egg is assur on the second day. **R' Yochanan** only said that we accept the witnesses after the time for Mincha (which makes that day the 1st of Tishrei). However, **R' Yochanan** would agree that even then, that day and the next are treated as Yom Tov. Therefore, the egg would remain assur.
- **Rava** said, we pasken like **Rav** in all these 3 cases that were mentioned (**Rav** said that when Shabbos and Yom Tov are on consecutive days, an egg laid on the first day is assur on the second day; **Rav** allowed an egg that was laid on the first day of Yom Tov in chutz la'aretz to be eaten on the second day of Yom Tov; **Rav** said that an egg laid on the first day of Rosh Hashanah may not be eaten on the second day of Rosh Hashanah).

-----Daf 1---6-----

- **Rava** said, if one dies and awaits to be buried on the first day of Yom Tov, the burial should be done by goyim. If it happens on the second day of Yom Tov, Yidden may do the burial. This is true even for the 2 days of Rosh Hashana. This differs in Halacha from the way we treat an egg.
 - **Nehardai** said, the 2nd day of Rosh Hashanah is treated leniently with regard to an egg as well. They explain, what would be the concern of allowing the egg on the second day? The concern is that Elul may end up being 30 days, in which case there are 2 days of Rosh Hashanah which are one long kedusha.

Daf In Review – Weekly Chazarah

However, that is not a valid concern, because **R' Chinina bar Kahana in the name of Rav** said, from the days of Ezra and onward, we don't find an Elul that is 30 days.

- **Mar Zutra** said, when we say that a Yid may do the burial on the second day of Yom Tov, that is only if the meis has been lying around (and there is a concern that the body will begin to decompose). However, if the meis had not been lying around, we push off the burial until after Yom Tov.
- **R' Ashi** said, even if the meis had not been lying around, we do not delay the burial, because the second day of Yom Tov was given the status as a weekday for dealing with the matters of the meis, to the extent that one may even make tachrichin and cut hadasim for the meis on the second day of Yom Tov.
- **Ravina** said, since in his days there were goyim who would force the Yidden to work for them (but they did not have to work on Yom Tov), if they would bury a meis on Yom Tov, the goyim would see that they may do work on Yom Tov and would take away their Yom Tov work exemption. Therefore, all burials should wait until after Yom Tov.
- **Ravina** was sitting with **R' Ashi** on the first day of Rosh Hashanah and saw that he was upset. **R' Ashi** explained that he had forgotten to make an eiruv tavshilin (Yom Tov was Thursday and Friday). **Ravina** told him, **Rava** had said that one can make an eiruv tavshilin on the first day of Yom Tov with a stipulation (if the first day is the true day of Yom Tov, the eiruv is not even needed, and if the second day is the true day of Yom Tov, then the first day is not, and the eiruv tavshilin can be made then). **R' Ashi** said, **Rava** only allowed that for the 2 days of Yom Tov of chutz la'arezt, not for the 2 days of Rosh Hashanah. **Ravina** asked, we see that **Nahardai** said the 2 days of Rosh Hashanah are the same as the 2 days of Yom Tov in chutz la'arezt with regard to an egg laid on the first day!? **R' Mordechai** answered, that **R' Ashi** did not hold like the **Nahardai**.
- **Rav** said that a chick that hatched on Yom Tov is assur, and **Shmuel** said it is mutar.
 - **Rav** said it is assur because it is muktzeh. **Shmuel** said it is mutar, because the hatching removes its status of a sheretz and becomes mutar to eat (with shechita). Similarly, the hatching removes the muktzeh status as well.
 - **Q: R' Kahana and R' Assi** asked **Rav**, why is the chick different than a calf born on Yom Tov (which is not muktzeh)? **A: Rav** said, the calf can be eaten before it is born (with the shechita of the mother), and was therefore always fit to be eaten. The chick was not fit to be eaten until it was born, and is therefore muktzeh.
 - **Q: Why** is a chick different than a calf born from a treifah (that cannot be eaten before being born, with the shechita of the mother)? **Rav** remained quiet in response to this question.
 - **Q: Rabbah** asked, why didn't **Rav** answer that the calf is not muktzeh, because even as a treifah it is fit to be given to dogs to eat, whereas an unhatched chick is not!? **A: Abaye** said, **Rav** didn't answer that because we find that something that is considered to be "prepared" for humans is not considered to be "prepared" for dogs. Surely then, the fact that the calf is "prepared" to be used for dogs will not give it the status of being "prepared" for human consumption.
 - **Rabbah** said the extension of that theory is not necessarily true. Something fit for human consumption is not considered to be prepared to be used for dogs, because people don't take something fit for humans and give it to dogs. However, it may be that something prepared for a dog is considered to be prepared for humans, because a person has in mind to prepare something for all uses (the calf is prepared for dogs before it is born and for humans after it is born).
 - There is a Braisa that says exactly like **Rav**, with the explanation given for his shita, and there is a Braisa that says exactly like **Shmuel**, with the explanation given for his shita.
 - A Braisa says, a chick that is hatched on Yom Tov is assur (as muktzeh). **R' Eliezer ben Yaakov** said, it is even assur during the week until it opens its eyes.
- **R' Huna in the name of Rav** said, an egg becomes completely formed as it exits the chicken.

Daf In Review – Weekly Chazarah

- **Q:** What is meant by that statement? It can't mean that at exit it becomes complete and may then be eaten with milk, but while in the chicken it may not be eaten with milk, because a Braisa says that if one shechts a chicken and finds complete eggs inside, they may be eaten with milk!? **A:** It means that on exit it becomes fully formed and may therefore be eaten if it is laid before Yom Tov. However, if an egg is found in a chicken that is shechted on Yom Tov, it may not be eaten (because of hachana).
 - **Q:** That can't be what it means, because a Braisa says that such eggs *may* be eaten on Yom Tov!? Don't say that the Braisa is actually saying something that we don't find in a Mishna (and should therefore be disregarded), because the machlokes in our Mishna between **B" S** and **B" H** is regarding an egg laid on Yom Tov. This would suggest that they do not argue on an egg found in a shechted chicken on Yom Tov, and would both hold that it would be mutar! You can't say that **B" H** says the egg found in the chicken would be assur as well, because a Braisa says that eggs found in a shechted chicken are mutar, suggesting that eggs laid on Yom Tov are assur. If that does not follow **B" H**, who does it follow!? **A:** **Rav's** statement meant to say that an egg is complete upon exit, and if it is a fertilized egg, it is then capable of becoming a chick. However, an egg that is taken from a shechted chicken can never become a chick. The importance of this statement is in regard to business dealings with the egg, meaning that if one purchased an egg under the premise that it can produce a chick, and it cannot, it is a purchase in error and his money must be refunded to him.
 - It once happened that a person asked "Who has eggs from a live chicken" (to produce chicks), and someone sold him eggs from a slaughtered chicken. The purchaser went to **R' Ami**, and he said that his money must be returned.
 - **Q:** This is obvious!? **A:** We would think that he really wanted the egg for eating, and wanted an egg from a live chicken because they tend to be better (in which case he would only be allowed a refund of the premium normally charged for such an egg). **R' Ami** therefore taught that it is a complete "mekach ta'us", and the purchaser is entitled to a full refund.
 - It once happened that a person asked "Who has fertilized eggs for sale" (to produce chicks), and someone sold him unfertilized eggs (which don't produce chicks). The purchaser went to **R' Ami**, and he said that his money must be returned.
 - **Q:** This is obvious!? **A:** We would think that he really wanted the egg for eating, and wanted a fertilized egg because they tend to be better (in which case he would only be allowed a refund of the premium normally charged for such an egg). **R' Ami** therefore taught that it is a complete "mekach ta'us", and the purchaser is entitled to a full refund.
- **A2:** **Rav's** statement meant that an egg is completed upon exit of even *most* of the egg. This would follow **R' Yochanan**, who said that if most of the egg exited before Yom Tov and then went back into the chicken and reemerged on Yom Tov, it is considered to have been laid before Yom Tov, and is therefore mutar on Yom Tov.
 - **Others** say, **Rav's** statement is meant to say that the egg is only considered to be laid when it exits in its *entirety*. Understood as such, it comes to exclude the view of **R' Yochanan**.

-----Daf 7-----

- The Braisa that was mentioned earlier said, if one shechts a chicken and finds completed eggs inside, they may be eaten with milk. **R' Yaakov** says, if the eggs are still attached to the sinews, they may not be eaten with milk.
 - **Q:** Who is the Tanna of a Braisa that says, that one who eats from the "cluster of eggs" (eggs attached to the sinews), and certain other parts of the neveila of a kosher bird, does not become tamei (the Halacha is that if someone eats the meat of a neveila of a kosher bird, he becomes tamei and his clothing becomes tamei as well)? **A:** **R' Yosef** said, this does not follow **R' Yaakov**, because he says that such

Daf In Review – Weekly Chazarah

attached eggs are still considered part of the chicken, which would mean that if one eats them from a neveila, they should make him tamei.

- **Abaye** said, it may be that **R' Yaakov** only holds that way regarding eating them with milk, which is a gezeirah D'Rabanan. However, it may be that regarding tumah, he would say that we should not be goizer, because we try to limit the expansion of tumah.
- **Others** had a version where **R' Yosef** said that when the Braisa (later on) said that one who eats from the eggs attached to the ovary of the treifa bird, becomes tamei, it follows **R' Yaakov** (because he said that attached eggs are part of the chicken). To this, **Abaye** said, it may be that the Braisa is referring to the eating of the ovary itself, not the eggs attached thereto.
- A Braisa says, species that mate by day give birth by day (referring to the chicken). Species that mate by night give birth at night (referring to the bat). Species that mate by day or night give birth by day or night (referring to humans and other like species).
 - **Q:** What is the Braisa teaching us this about the chicken? **A:** It teaches us the Halacha of **R' Mari the son of R' Kahana**, who said, if one checks a chicken's nest immediately before nightfall (at the onset of Yom Tov) and saw no eggs, and then checked again the next morning before daybreak, the eggs are mutar (because we must say that they were laid during the daytime of the previous day).
 - **Q:** He checked then and found nothing!? **A:** We must say that either he didn't check well, or he did check well, but the egg had exited most of the way during the previous day (which gave it the status as being out), reentered the chicken, and then exited at night (because a chicken does not lay eggs at night, as stated in the Braisa).
 - **Q:** We find that **R' Yose ben Shaul in the name of Rav** said that if one checked at nightfall and again at daybreak on Yom Tov, and only found eggs at daybreak, the eggs are assur!? **A:** **Rav** was referring to unfertilized eggs, which can be laid at night. The Braisa was discussing fertilized eggs.
 - **Q:** Maybe **R' Mari** should also be concerned for unfertilized eggs? **A:** He was discussing a case where there was a rooster nearby, and **Ravina** said, we have been taught that a chicken will not lay unfertilized eggs when there is a rooster nearby.
 - **Q:** How close must the rooster be to be considered "nearby"? **A:** **R' Gamda in the name of Rav** said, close enough for the chicken to hear its crow during the daytime.
 - **R' Mari** once paskened that a rooster was close enough when it was 60 houses away.
 - The Gemara says, if there is a river in between them, the chicken will lay unfertilized eggs. If there is a bridge over the water, it will not (because the rooster will cross the bridge). If there is only a plank of wood with a rope to hold onto, going over the water, a rooster will not cross it. However, it once happened that a rooster did cross a river on this plank of wood.
 - According to **R' Yose ben Shaul**, who we said is discussing an unfertilized egg, why is it only assur if he checked? Even if he didn't check (in which case it would be a safek if it was laid before Yom Tov or on Yom Tov) it should still be assur, because it is a safek on an item which will become mutar after Yom Tov (a davar sheyeish lo matirin), and should therefore be assur!? **A:** If he didn't check, we can say that it was laid before Yom Tov, and will therefore be mutar.
 - **Q:** If we are lenient in that way, why don't we also say that even when he checked before Yom Tov the egg found the next day is mutar, because we can say that a majority of the egg exited before Yom Tov, reentered before Yom Tov, and then fully exited on Yom Tov!? **A:** That is an unusual case, and we therefore will not assume that having taken place, unless we have no other explanation.
 - **R' Yose ben Shaul in the name of Rav** said, it is dangerous to eat ground garlic that has been left uncovered.

Daf In Review – Weekly Chazarah

BEIS SHAMMAI OMRIM SE'OR B'KEZAYIS

- The reasoning of **B”S** is based on the fact that the Torah says that se’or is assur and also says that chametz is assur. In truth, the Torah could have just written the issur regarding chametz, and through a kal v’chomer we would say that if chametz is assur, surely se’or (which makes other things into chametz) is assur as well. The fact that the Torah wrote that se’or is assur must be to teach that there is a different minimum measurement to be “oiver” for chametz and for se’or. **B”H** say, the Torah had to write them both, because if it just wrote about se’or, we would say that it is assur because it makes other things chametz, but chametz itself is maybe not assur. If the Torah would only write regarding chametz, we would say only chametz is assur because it is fit to be eaten, but se’or, which is not fit to be eaten is maybe not assur. Therefore, neither is extra in the pasuk, and not available to teach what **B”S** say we should learn from it.
 - **Q:** How can **B”S** disagree with **R’ Zeira’s** teaching, that the pasuk begins by discussing se’or and ends by discussing chametz (as if the terms are used interchangeably), to teach that they share the minimum size of a kezayis to be oiver!? **A:** **R’ Zeira** is discussing the size needed to be oiver for eating. **B”S** agree that one who eats a kezayis is oiver for eating. The machlokes is only regarding the issur of possessing chametz and se’or on Pesach. **B”S** say that we don’t learn the halachos of possession from those of eating, and **B”H** say that we do. **R’ Yosef bar Chanina** and a Braisa also say that the machlokes is only in this set of circumstances.

HASHOCHET CHAYA V’OF B’YOM TOV...

- **Q:** The word “hashochet” implies that the Mishna is only discussing a scenario of b’dieved. However, **B”H** then say that one may not shecht (which implies l’chatchila), which means that **B”S** allow it even l’chatchila!? **A:** **B”H** mean to say that even if one were to have already shechted, he may not cover the blood. **B”S** argue and say that if one *already* shechted, he may cover the blood. However, he does not allow the shechting l’chatchila.
 - **Q:** The Mishna later says that even **B”H** agree that if one already shechted, that he should dig with a shovel and cover the blood. This means that **B”S** allow this even l’chatchila!? **A:** **Rabbah** said, the Mishna is discussing a shochet who comes and asks whether he may shecht a bird or undomesticated animal on Yom Tov when he doesn’t have dirt prepared to cover its blood. **B”S** say we tell him to shecht, dig up dirt, and then cover the blood, and **B”H** say we tell him that he may not shecht unless he has prepared dirt. **A2:** **R’ Yosef** said, when the shochet comes to ask, **B”S** say we tell him to dig up dirt, shecht, and then cover the blood, and **B”H** say we tell him that he may not shecht unless he has prepared dirt.
 - **Q:** **Abaye** asked **R’ Yosef**, should we say that you and **Rabbah** argue about the concept of **R’ Zeira in the name of Rav**, who said that there must be loose dirt underneath the blood and then more placed on top of the blood to cover it? You, (**R’ Yosef**) say he should dig first, because you hold of **R’ Zeira’s** Halacha, and **Rabbah** would seem not to hold of it. **A:** **R’ Yosef** said, we both hold of **R’ Zeira’s** Halacha. However, **Rabbah** says that we can’t allow him to dig before shechting, for the concern that he will dig and then change his mind and not shecht. Therefore, he may only shecht if he already has loose dirt available. I (**R’ Yosef**) say that we can’t be concerned for that, because doing so will prevent him from having Simchas Yom Tov.

UMODIM SHE’IHM SHACHAT SHEYACHPOR B’DEKER VICHASEH

- **R’ Zrika in the name of R’ Yehuda** said, that is only allowed if the shovel was stuck into the earth before Yom Tov began (which removes the issue of plowing and of muktzeh).
 - **Q:** He still must crumble the earth, which is considered to be grinding!? **A:** **R’ Chiya bar Ashi in the name of Rav** said, we are discussing loose earth, which does not need to be crumbled.
 - **Q:** He is making a hole in the ground, which is considered to be building!? **A:** We will follow **R’ Abba**, who said that one who digs a hole because he needs the earth (not because he wants the hole) is patur.

-----Daf ן---8-----

SHE’EIFER KIRAH MUCHAN HU

Daf In Review – Weekly Chazarah

- **Q:** Who mentioned ashes of an oven, that the Mishna felt the need to address it? **A: Rabbah** said, the mention of oven ash is not a continuation and explanation of the previous statement, it is a new, stand-alone statement, and states that oven ash is considered to be prepared, and not muktzeh to use.
 - **R' Yehuda** said in the name of **Rav**, and a Braisa says the same as well, that only oven ash that became ash before Yom Tov is considered to be prepared to use for covering blood. Ash created from the burning of wood on Yom Tov may not be used for covering blood. However, if the ash created on Yom Tov (using prepared wood) is still hot enough to roast an egg on it, that ash is considered to be prepared for all uses, including for covering blood.
 - The Braisa continues, that if one brought earth into his property to use for his garden or for his wasteland, it is mutar to use the earth for covering blood on Yom Tov.
 - **R' Yehuda** said, a person may bring a box full of dirt into his house for Yom Tov, and use it for any need that may arise.
 - **Mar Zutra in the name of Mar Zutra Rabbah** said, that is only when he placed the dirt in a designated area in the house (not spread out all over).
 - **Q:** A Mishna says that a “kvi” (an animal which we are unsure whether it is a domesticated animal or an undomesticated animal, and therefore needs its blood covered only as a safek) may not be shechted on Yom Tov (because we can't move dirt to cover its blood since it is only a safek), and if one did shecht it, its blood may not be covered. According to **R' Yehuda**, the dirt may be used for *any* purpose, so why can't it be used for covering the blood of the kvi? **A:** Even according to other views, he should be able to use oven ash, and yet the Mishna says its blood may not be covered. The Mishna therefore must be discussing where he doesn't have oven ash. Similarly, we can say that the Mishna is discussing where he does not have prepared dirt.
 - **Q:** If so, he may not even cover the blood of something that one is certainly chayuv to cover its blood! Why limit this Halacha to the case of a kvi? **A:** The Mishna is teaching that clearly one can't shecht something that certainly needs its blood covered. The Mishna is saying that even something which only needs its blood covered as a safek, which one would think he may shecht even without having dirt prepared, because not shechting it would disturb one's Simchas Yom Tov, also may not be shechted.
 - **Q:** Since the Mishna says, that if the kvi was shechted its blood may still not be covered, it must be discussing a case where one *did* have prepared dirt, but is still told not to cover the blood!?
 - **A: Rabbah** said, oven ash (and prepared dirt) is only considered to be prepared for an animal whose blood must definitely be covered, not for a kvi, which is a safek.
 - **Q:** It must be that it can't be used for a safek because taking the ash/dirt creates a hole. But, the same hole is made when taking for the definite need as well!? If you will say that making the hole is not problematic because of **R' Abba** (he is patur because he does not need the hole), then the same Halacha applies when taking the ash for the safek as well!? **A:** One can't use the ash for the safek because he must crumble the earth for the safek.
 - **Q:** One must crumble the earth for the definite case as well!? **A:** In the definite case, the assei of covering the blood overrides the lo sasei of crumbing the earth.
 - **Q:** We only say that an assei overrides a lo sasei when the assei is performed at the time that the lo sasei is being transgressed!? **A:** He crumbles the earth over the blood, so that it does happen simultaneously.
 - **Q:** Yom Tov is an assei and a lo sasei, and the assei of covering the blood cannot override an assei together with a lo sasei!?
 - **A: Rava** said, one has in mind to use his oven ash for a definite need, not for a safek.

Daf In Review – Weekly Chazarah

- **Rava** is following his view elsewhere, where he says that if one brings in dirt before Yom Tov to use for covering feces (if the need arises), the dirt may be used for covering a bird's blood (which is a definite need). However, if dirt is brought in to use for covering a bird's blood, it may not be used for covering feces (which is only a possible need – a safek).
- **The Neharbilai** said, that covering feces is virtually a definite need, and therefore, dirt brought in to cover blood may be used to cover feces as well.
- In Eretz Yisrael they said, there is a machlokes between **Rava the son of R' Yosef bar Chama** and **R' Zeira**: one said that covering feces is like covering the blood of a kvi (they are both uncertain needs), and the other said that covering feces is a more definite need than covering the blood of a kvi.
 - From **Rava's** statement earlier, we can see that he was the one who said that covering feces is the same level of uncertainty as covering the blood of a kvi.
- **Rami the son of R' Yeiva** said, the reason we don't allow for the covering of the kvi's blood on Yom Tov is a gezeirah to prevent one from thinking that the fats of the kvi may be eaten (the fats of a chaya may be eaten, but of a beheima may not, and covering the blood on Yom Tov may lead to one thinking it is a chaya, whose fats may be eaten).
 - **Q:** Based on this we should not cover its blood on a weekday either!? **A:** On a regular weekday, one will say that the person throwing down the earth is really doing so to clean up his field, not for the covering of the blood.
 - **Q:** What about covering the blood when the kvi is shechted in a garbage dump (where there is no other purpose for putting down the earth)!? What about when one asks whether he must cover the blood and is told that he must!? **A:** When one sees a person covering the kvi's blood on a weekday, or when he is told that he must cover its blood on a weekday, he knows that even if it is a safek, he would be told to do so on a weekday (and he therefore will not assume that it is a chaya, and will not come to eat its fats). However, when this takes place on Yom Tov, he would reason that it must be a definite chiyuv, and a definite chaya, and will come to say that its fats are therefore mutar.
- **R' Zeira** taught, it is not only the blood of a kvi that may not be covered on Yom Tov. Even if one shechted a beheimah, a chaya, and a bird, and their blood became mixed, one may not cover the blood on Yom Tov (it takes extra effort to cover the blood of the beheimah, and it therefore may not be done on Yom Tov).
 - **R' Yose bar Yasinia** said, this is only true if all the blood cannot be covered with one throwing of the dirt. If it can be, he may cover it in this way on Yom Tov.
 - **Q:** This is obvious (since no extra effort is taking place)!? **A:** We may think to not allow even one throw of dirt as a gezeirah to prevent a case where more than one throw is needed. He therefore teaches that there is no such gezeirah.
- **Rabbah** said, if one shechts a bird on Erev Yom Tov (and did not cover its blood), he may not cover it on Yom Tov. If one made a dough on Erev Yom Tov (and did not separate challah), he may separate challah on Yom Tov. **Shmuel's** father argued on **Rabbah's** second Halacha and said the challah may not be separated (separating the challah makes the dough mutar to eat and is therefore like fixing a keili on Yom Tov).
 - **Q: Shmuel** seems to argue with his father, because **Shmuel** said that challah in chutz la'aretz may be separated after the eating of part of the dough (this means that the separating of the challah is not considered as fixing a keili, because the dough can be eaten without its separation)!? **A: Rava** said, since **Shmuel** agrees that when one verbally designates the challah, that piece becomes assur to a non-Kohen, he would agree that one would not be allowed to do so on Yom Tov.

Daf In Review – Weekly Chazarah

-----Daf 9-----

MISHNA

- **B”S** say, on Yom Tov one may not move a ladder used to reach the birdhouses, from one birdhouse to another, but he may tilt the ladder from one compartment to another of the same birdhouse. **B”H** say that one may even move the ladder from one birdhouse to another.

GEMARA

- **R’ Chanan bar Ami** said, the machlokes is only when he carries the birdhouse ladder through the reshus harabim. In that case **B”S** are concerned that people will see that and will think that he is bringing the ladder to plaster his roof, whereas **B”H** say, since it is the type of ladder used specifically for birdhouses, people will not think so. However, if he is only moving the ladder within the reshus hayachid, all would agree that it may be moved.
 - **Q: R’ Yehuda in the name of Rav** said that whenever the **Chachomim** said something is assur based on it giving the appearance of wrongdoing, it is even assur to be done in private as well. If so, how would **B”S** allow the ladder to be moved in the reshus hayachid!? **A: Rav’s** Halacha is actually a machlokes among Tanna’im. We find a Braisa where the **T”K** says such an act may be done in private, and **R’ Elazar** and **R’ Shimon** say that it may not be done in public or private.
 - **Another version** says that **R’ Chanan bar Ami** said, the machlokes in our Mishna is only when it is done in the reshus hayachid. In that case **B”S** say it is assur because they hold of **R’ Yehuda in the name of Rav**, and **B”H** say it is mutar because they do not hold of him. However, they would both agree that it may not be done in reshus harabim.
 - **Q:** Can it be that **Rav** follows **B”S** (which would be unlikely since we don’t pasken like them)? It must be that **Rav** understood **B”H** to hold that such an act would be assur in private as well, and he would disagree with **R’ Chanan’s** understanding of the machlokes!? **A: R’ Chanan** had a Tanna (from the Braisa quoted above) to follow, who held that such an act can be done in private, even though it cannot be done in public.
- In a Braisa, **R’ Shimon ben Elazar** states the machlokes differently. He says that **B”S** and **B”H** both allow moving the ladder from one birdhouse to the next. However, **B”S** don’t allow returning the ladder after its use is done, whereas **B”H** even allow that. The Braisa continues, that **R’ Yehuda** says, this is only true when dealing with a ladder used for birdhouses. However, with regard to using a regular ladder, all would agree it may not be moved at all. **R’ Dosa** says one may tilt a ladder from one compartment to the next. **Others** say in the name of **R’ Dosa**, that a ladder may even be walked over to the next compartment.
 - **R’ Chiya’s** sons once returned from the village and **R’ Chiya** asked them whether they paskened any matters when they were there. They said they were asked regarding moving a regular ladder to a birdhouse, and they allowed it. **R’ Chiya** told them that they must return and prohibit what they had permitted.
 - **R’ Chiya’s** sons held that since **R’ Yehuda** in the Braisa says that all agree regarding a regular ladder, it must be that the **T”K** holds they do argue regarding a regular ladder, and that **B”H** allow it. However, this is an erred interpretation. From the fact that the **T”K** says we may move a ladder “from one birdhouse to another”, instead of saying “we may move a ladder to a birdhouse”, it must mean that he is discussing a ladder meant for birdhouses.
 - **R’ Chiya’s** sons felt that if it referred to a ladder meant for birdhouses, the **T”K** would have said, “a ladder of a birdhouse”.
 - **Others** said, that **R’ Chiya’s** sons told him, we were asked regarding tilting a regular ladder from one compartment to another, and we allowed it. **R’ Chiya** told them that they must return and prohibit what they had permitted.
 - **R’ Chiya’s** sons thought that when **R’ Dosa** allowed tilting a ladder, he was discussing a regular ladder (he came to argue on **R’ Yehuda** who only allowed a birdhouse ladder). However, this is an erred understanding. **R’ Dosa** is actually coming to be machmir on **R’**

Daf In Review – Weekly Chazarah

Yehuda, who allowed moving of a birdhouse ladder. **R' Dosa** says that even such a ladder may only be tilted, not moved.

AVAL MATEIHU MEI'CHALON L'CHALON...

- **Q:** From our Mishna we see that when it comes to matters affecting Simchas Yom Tov (like getting birds to eat), **B" S** are more machmir (they do not allow moving the ladder), and **B" H** are more meikel (they do allow moving the ladder). However, the last Mishna said that **B" S** allow one to dig up earth to cover the blood of a bird or a chaya, so that he can shecht them on Yom Tov, and **B" H** do not allow it. We see that **B" S** are meikel and **B" H** are machmir!? **A: R' Yochanan** said, we must flip the shitos (of either our Mishna, according to Rashi, or the previous Mishna, according to other Rishonim) so that **B" S** and **B" H** remain consistent in their views.
 - **Q:** Why must we reverse the shitos? It may be that **B" S** are truly more machmir, and the only reason they are meikel in the previous Mishna is because the person had a shovel dug into the earth from before Yom Tov!? It may also be that **B" H** are truly more machmir, and the only reason they allow the carrying of the ladder is because the fact that he carries it to the birdhouse shows to all that he is using the ladder for a permitted purpose!? Based on this, why did **R' Yochanan** say that we must reverse the shitos? **A: R' Yochanan** must have said his statement on another contradiction. A Mishna says that **B" S** do not allow one to take a bird from a birdhouse on Yom Tov, unless it was handled before Yom Tov, and in that way prepared for Yom Tov. **B" H** allow one to prepare the birds by simply pointing at them and verbally preparing them for Yom Tov. We see that **B" S** are machmir and **B" H** are meikel for Simchas Yom Tov even though they each hold the opposite in the case of shechting a chaya or bird on Yom Tov! This must be what **R' Yochanan** was referring to when he said that the shitos must be reversed.
 - **Q:** Why must we reverse the shitos? It may be that **B" S** are truly more machmir, and the only reason they are meikel in the previous Mishna is because the person had a shovel dug into the earth from before Yom Tov!? It may also be that **B" H** are truly more machmir, and the only reason they allow verbal preparation is because they hold that it is sufficient to remove the issur of muktzeh!? **A: R' Yochanan** must have said his statement on another contradiction. A Mishna says that **B" S** do not allow one on Yom Tov to take a keili used for pounding wheat (which may not be done on Yom Tov) to use for pounding meat, and **B" H** do allow it. We see that **B" S** are machmir and **B" H** are meikel for Simchas Yom Tov even though they each hold the opposite in the case of shechting a chaya or bird on Yom Tov! This must be what **R' Yochanan** was referring to when he said that the shitos must be reversed.
 - **Q:** Why must we reverse the shitos? It may be that **B" S** are truly more machmir, and the only reason they are meikel in the previous Mishna is because the person had a shovel dug into the earth from before Yom Tov!? It may also be that **B" H** are truly more machmir, and the only reason they allow using the keili is because they hold that since it has the status of a keili, it does not become muktzeh!?

-----Daf ׳---10-----

- We had just proven that **R' Yochanan** did not say that the shitos of **B" S** and **B" H** must be flipped for the seeming contradiction just mentioned. If so, we need to understand regarding what it was stated.
 - **A: R' Yochanan** must have said his statement regarding another contradiction. A Mishna says that **B" S** do not allow one on Yom Tov to take the hide of an animal and place it in an area so that it gets trampled upon (to begin the leather working process), and does not even allow one to handle the hide at all unless there is a kezayis of meat still attached. **B" H** allow this to be done. We see that **B" S** are machmir and **B" H** are meikel for Simchas Yom Tov even though they each hold the opposite in the case of shechting a chaya or bird on Yom Tov! This must be in regard to what **R' Yochanan** said the shitos must be reversed.
 - **Q:** Why must we reverse the shitos? It may be that **B" S** are truly more machmir, and the only reason they are meikel in the previous Mishna is because the person had a shovel dug into the earth from before Yom Tov!? It may also be that **B" H** are truly more machmir, and the only

Daf In Review – Weekly Chazarah

reason they allow handling the hide is because it is fit to use as a mat, and is therefore not muktzeh!? **A: R' Yochanan** must have said his statement regarding another contradiction. A Mishna says that **B" S** do not allow one on Yom Tov to remove the shutters of a store to use to display his goods for sale. **B" H** even allow the shutters to be returned to their place after use. We see that **B" S** are machmir and **B" H** are meikel for Simchas Yom Tov even though they each hold the opposite in the case of shechting a chaya or bird on Yom Tov! We can answer that **B" S** are truly more machmir, and the only reason they are meikel in the previous Mishna is because the person had a shovel dug into the earth from before Yom Tov. However, there is a contradiction of the view of **B" H**! This must be in regard to what **R' Yochanan** said the shitos must be reversed.

- **Q:** The Gemara says, we can still ask, that even **B" H** can be understood. It may be that they are truly more machmir, and are only meikel here because they hold that there is no prohibition related to the taking apart and putting together of keilim!?

MISHNA

- **B" S** say one may not take a bird on Yom Tov unless he had handled them (i.e. lifted them) to show preparation before Yom Tov. **B" H** say he may even stand on the ground and verbally state his intention to use them, without actually handling the birds.

GEMARA

- **R' Chanah bar Ami** said, the machlokes is only regarding the first babies born to the mother that year. They are typically not shechted, and **B" S** is therefore concerned that a mere verbal statement is not enough. They are concerned that one will take the bird and then decide not to shecht it and put it back. Therefore, we need a more concrete intention of using the bird. However, **B" S** would agree that all other birds need only have a verbal statement of intent.
- **Q:** According to **B" H**, why does he need to state exactly which bird he intends to take? Why can't he make a general statement that he intends to take birds (in general) without specification? It can't be that **B" H** doesn't allow that because he doesn't hold of breirah, because a Mishna states, that **B" H** says, if one has in mind to remove a meis via a particular opening in the house, all the other openings remain tahor. **B" H** argue on **B" S**, and say that this decision is effective even if it is made after the death. We see that **B" H** holds of breirah!? **A:** It may be that **B" H** do not hold of breirah, and the reason they say the other openings are tahor is as explained by **Rabbah**, that **B" H** are speaking prospectively, not retroactively. **A2: Rava** said, it may be that **B" H** do hold of breirah. The reason he must specify which birds he is taking is because we are concerned that with a general statement, on Yom Tov he will end up picking up a bird and putting it back, which would be muktzeh. With a specific statement, he is limited to his statement, and will not do so.
 - **Q:** Even with a specific statement, **Rava's** concern should still exist unless he actually handles the birds before Yom Tov!? **A:** When he makes a specific statement on Erev Yom Tov, he realizes the next day that he is limited to his previous designation, and will not come to touch any other birds. However, when he leaves the decision to Yom Tov (by making a general statement), we are concerned that he will pick up a bird that looked good and realize it is not that good, and then return it in exchange for another one. **A2:** If he makes a general statement, without even having looked at the birds, we are concerned that on Yom Tov he will find all the birds to be undesirable, and will be left without meat for Yom Tov (and will not have Simchas Yom Tov).

MISHNA

- If one designated black birds before Yom Tov and on Yom Tov found only white birds in the birdhouse, or prepared white birds and found black birds, or prepared 2 and found 3, the birds are all assur. If he prepared 3 and found 2, they are mutar.
- If he designated them when they were in the nest, and he finds birds in front of the nest, they are assur. However, if these are the only birds in the area, they are mutar.

Daf In Review – Weekly Chazarah

GEMARA

- **Q:** It is obvious that if he finds birds of another color that they are assur (they are different birds than those prepared)!? **A: Rabbah** said, the Mishna is discussing where he prepared black birds and white birds, and found the black birds where the white birds were on the previous day, and the white birds where the black birds were. We would think that we can assume that they are the same birds, and they simply changed places. The Mishna teaches that we assume they are all new birds.
 - **Q:** Maybe we can say that this is a proof to **R' Chanina**, who says that when faced with the choice to follow “rov” (the majority) or “karov” (that which is near), we follow the rov (the majority of birds are not the ones he designated, but following karov would say that the birds were from the ones prepared the day before)? **A:** We can answer as **Abaye** says elsewhere, that the birdhouses under discussion have a board in front of them that many birds come and rest upon. Therefore, even the “karov” birds are likely not the birds that were designated the day before.

SHNAYIM U'MATZAH SHLOSHA ASSURIN

- Either way these birds are assur. Either none of these are the birds that he designated, or one of them was not designated and is now mixed with the 2 that were designated. In either case, they will all be assur to use.

SHLOSHA U'MATZAH SHNAYIM MUTARIN

- They are mutar, because we assume that one of the designated birds flew away, and these 2 remained.
 - **Q:** A Braisa says, if one put 2 maneh of ma'aser money into a box and later found only one maneh in the box, **Rebbi** says we assume one maneh was taken and the remaining maneh is ma'aser. The **Rabanan** say we assume all the ma'aser was removed and the maneh that is found in the box is chullin. Based on this, our Mishna seems to only follow **Rebbi**? **A:** The Mishna may follow the **Rabanan**. We have learned that **R' Yochanan** and **R' Elazar** both say that the case of the birds is different than the case of the coins, because birds tend to jump around on their own, whereas money must have been moved by another force.
 - **Q:** There is a machlokes as to the parameters of the machlokes between **Rebbi** and the **Rabanan**. One view is that they argue when the money is in 2 separate bundles, but all would agree that when the money was in one bundle, lesser amount found is totally new money. The other view is that they only argue when the money was bound in one bundle, but when they are in separate bundles all agree that the lesser amount found is part of the original amount left there. According to the second view, all agree in the case of 2 bundles, so all would also agree in the case of the birds in our Mishna. If so, why is there a need to give the answer that birds are different because they move around? **A: R' Ashi** said, the Mishna is discussing birds that are tied together, and the Braisa is discussing bundles of money that are tied together. With regard to birds, which move around, even though they were tied, we can say that the remaining birds were from the original 3, because they likely untied themselves through their movements, and one went and 2 stayed. However, with regard to bundles of money, they can't pull themselves apart. Therefore, if one is missing, it is likely that both are missing and the one that is there is a totally different bundle. **Rebbi** holds that even bundles sometimes become untied, and it is therefore possible that the one remaining bundle was one of the two original bundles of money.