



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Kiddushin Daf Chuf Hey

- The Elders of the city of Nezonias did not go to the shiur of **R' Chisda**. **R' Chisda** told **R' Hamnuna** to go and put them in cheirem. **R' Hamnuna** went and asked them why they had not shown up to shiur. They said, why should we come when we ask questions and don't receive answers? **R' Hamnuna** said to them, have you ever asked me a question and not been answered? They then asked him, if a master makes his eved into a sris by the beitzim, is it considered an exposed mum, and he would go free, or not? **R' Hamnuna** did not know what to answer. They said to him, your name should be Karnuna (a more derogatory name) rather than Hamnuna. He then went back and told **R' Chisda** what happened. **R' Chisda** told him, that question can be answered from a Braisa. A Mishna says regarding a certain halacha of tzaraas that there are 24 limbs to which this halacha applies – the tips of the 10 fingers and 10 toes, the tips of the ears, the tip of the nose, and in a man the tip of his eiver, and in a woman the tip of her dadim. **R' Yehuda** says that the tips of a man's dadim are also included in the halacha. A Braisa then says, the loss of any of these would cause a slave to be set free. **Rebbi** adds an eved who is made into a sris. **Ben Azzai** adds the eved who loses his tongue. Now, **Rebbi** can't be referring to a sris of the eiver itself, because that is already included in the list when it says the eiver of a man. Rather, he must be referring to the sris of the beitzem. Thus we see that **Rebbi** holds it would set an eved free and the **T"K** and others hold that it would not. Therefore, the answer to the question of the Elders is that it is a matter of dispute.
  - **Q:** In the Braisa **Rebbi** said that an eved would go free for becoming a sris, and **Ben Azzai** added the case of the eved who lost his tongue. Does **Rebbi** hold that an eved would not go free for losing his tongue? A Braisa says that **Rebbi** says if the parah adumah ashes (which must be sprinkled onto the exposed part of the tamei person's body) were sprinkled onto someone's mouth, it is an effective sprinkling, and the **Chachomim** say that it is not effective. Presumably, this refers to the person's tongue, and we see that **Rebbi** considers it to be an exposed part of the body!? **A:** The "mouth" refers to the person's lips, not his tongue. The chiddush is, that although a person sometimes closes his lips so tightly that they are not visible, they are still considered to be exposed.
    - **Q:** A Braisa clearly says that **Rebbi** is referring to the tongue!? **A:** Rather, in the earlier Braisa **Rebbi** means to include a sris and one who loses his tongue, and **Ben Azzai** argues and says that only losing the tongue would set him free, not the sris. Although it would make more sense to first quote **Ben Azzai** and then quote **Rebbi** (who agrees with **Ben Azzai** and then adds an additional case), the Tanna listed it this way, because this is the order in which he heard it, and the Braisa's order is kept in the order in which it was originally heard (so that it is more easily remembered).
  - **Ulla** said, all agree that the tongue is considered exposed with regard to becoming tamei from contact with a sheretz, based on the pasuk of "asher yigah bo", and the tongue is something that can be touched. Also, with regard to tevilah, the tongue is certainly considered to be hidden (not exposed) and the mikvah water need not touch the tongue, based on the pasuk of "v'rachatz bisaro bamayim", which teaches that only something exposed like the skin must have the water touch it. The machlokes is only regarding being sprinkled upon by the parah adumah. **Rebbi** compares that case to the case of becoming tamei, and the **Rabanan** compare it to the case of tevila. They both darshen the pasuk of "v'hiza hatahor ahl hatamei". **Rebbi** darshens that the tahor and tamei are placed together in the pasuk to teach that it should be compared to the case

of becoming tamei with a sheretz. The **Rabanan** say that the pasuk then says “v'rachatz bamayim”, which teaches to compare it to the case of tevila. The **Rabanan** feel this is a more telling drasha, because it is more logical to compare the case of becoming tahor (with parah adumah) to a case of becoming tahor (by mikvah). **Rebbi** says the pasuk of parah adumah is separated with the words of “v'chibes bigadav”, and therefore the end of the pasuk (“v'rachatz bamayim”) is not part of this drasha.

- **Q:** How could we say that **Rebbi** holds that the tongue is considered like a hidden part of the body for purposes of tevila? We have learned that **Ravin in the name of R' Ada in the name of R' Yitzchok** said that a maidservant of **Rebbi** once realized after going to the mikvah that she was toivel with a bone stuck in between her teeth, and **Rebbi** required her to go to the mikvah again. We see that **Rebbi** holds that the water must be able to get in between the teeth, which means that the inside of the mouth is *not* considered to be a hidden place with regard to tevila!? **A:** Although he holds that water does not need to go into the mouth, he holds that there can't be any chatzitza in the mouth, so that water *could* reach anywhere in the mouth if it were to go in. This is based on the logic of **R' Zeira**, when he said that a Korbon Mincha need not be fully mixed with the oil, as long as it was placed into a bowl in a way that it was possible for it to be fully mixed with the oil.
- With regard to the question of whether sris of the beitzem sets an eved free, we find that it is actually a machlokes among Tanna'im in a Braisa.

#### MISHNA

- **R' Meir and R' Eliezer** say, a large animal is acquired with “mesira” (handing over), and a small animal is acquired by lifting. The **Chachomim** say that a small animal is acquired with meshicha (pulling it).

#### GEMARA

- **Rav** darshened in the city of Kimchunya, a large animal is acquired with meshicha. **Shmuel** asked the talmidim of **Rav**, we have learned in our Mishna that a large animal is acquired with mesira, and **Rav** said so as well! Did **Rav** retract his position!? The Gemara says, in fact **Rav** did change his position based on the version of the machlokes in a Braisa. The Braisa says that the **Chachomim** said, large animals and small animals are acquired with meshicha, and **R' Shimon** said that both these animals are acquired with lifting (“hagbaha”).
  - **Q: R' Yosef** asked, according to **R' Shimon**, how does one acquire an elephant? **A: Abaye** said, one can be koneh an elephant with chalipin, or by renting the place on which the animal stands, and thereby be koneh with kinyan chatzer. **R' Zeira** said, the buyer brings 4 keilim and puts them under the feet of the elephant, and it is considered as if it has entered his reshus.
    - **Q:** Based on **R' Zeira's** method, we should learn that the keilim of the buyer can be used to be koneh in the seller's reshus (which is a matter of dispute throughout the Gemara)!? **A:** The case would be where this is done on a side street, which doesn't belong to the seller or the buyer.
    - **Another** way that one can be koneh an elephant would be by placing twigs on the ground and having the elephant walk up onto the twigs, thereby “lifting” the elephant.