4.1.4

6a (ת"ר נכרי שנכנס) $\rightarrow 7a$

Note: איטור presents an איטור of renting a house to pagans – on the premise that they will bring ע"ז אינט of renting a house to pagans – on the premise that they will bring ע"ז אינט of renting a house. This leads to the conclusion that rental does not equate to ownership – else, he'd be bringing the idol into his own house.

1) שַׁבְעַת יָמִים שָׁאֹר **לֹא יִמְצֵא בְּבָתִּיכֶם** כִּי כָּל אֹכֶל מִחְמֶצֶת וְנַכְרְתָה הַנֶּפֶשׁ הַהוֹא מֵעֻדַת יִשְׂרָאֵל בַּגַּר וּבְאָזְרַח הָאָרֶץ: שמות יב, יט

וְיַצְשֹּוֹ בְנֵי יִשְׂרָאֵל אֶת הַפְּסֶח בְּמוֹ**עָדוֹ**: במ*דבר ט, ב*10 וְיִצְשׁוֹּ בְנֵי יִשְׂרָאֵל אֶת הַפְּסֶח בְּמוֹעָ**דוֹ**: במ*דבר ט, ב*11 וְיִהְי אֲנָשִׁים אֲשֶׁר הִיוּ טְמֵאִים לְנֶבֶשׁ אָדָם וְלֹא יָלְלוּ לַעֲשֹׁת הַפֶּסֶח בִּיוֹם הַהוֹּא וַיִּקְרְבּוֹ לְפְנֵי מֹשֶׁה וְלְבֵיוֹ הְשִׁהְיֹם רְאשׁׁוֹ הוֹּא לְכָם לְחְדְשׁׁי הַשְׁנָה: דַּבְּרוּ אֶל כָּל עֲדַת יִשְׂרָאֵל לֵאמֹר בֶּעְשׁׁר לַחֹדֶשׁ הַאָּה וְיִקְחוּ לְהֶם אִישׁ שֶׁה לְבֵית אָבֹת שֶׂה לַבְּיִת: שִּמוּת יב, בּ-גּ וַיִּדְבֵּר ה' אֶל מֹשֶׁה בְּמְדְבַּר סְינִי בַּשְׁנָה הַשֵּׁנִית לְצֵאתָם מֵאֶרֶץ מִצְרִים בַּחְדֶשׁ הָרְאשׁוֹן לֵאמֹר: במדבר ט, א

17 בְּיִבְבר ה' אֶל מֹשֶׁה בְּמִדְבַּר סִינִי בַּשְׁנָה הַשְׁנִית לְצֵאתָם הַשְׁנִית לְצֵאתָם מֵאֶרֶץ מִצְרָים לֵאמֹר: במדבר א, א

I. מוספתא פסחים ב:יא in your property on מסחים בייא in your property on

- a. If: he enters the courtyard or (even) your house with his own חמץ no need to do anything
- b. But if: he leaves it under your care must be מבער
- c. If: you assigned him a separate building in which to keep it no need to do anything, per v. 1
 - i. Referent: of v. 1
 - 1. ב״כ. reference to v. 1 is about clause [b]
 - 2. אשי reference to v. 1 is about clause [c] לא ימצא בבתיכם but this is his own "house"
 - ii. Challenge: rental does not generate ownership per ע"ז איט (see note)
 - 1. Defense: in our case, לא יימצא defines איסור as related to access, not ownership
- II. בסח in your property on חמץ in your property on מסח
 - a. If: found on יו"ט, cover up until חוה"מ (then destroy)
 - i. However: if it belongs to הקדש, no need as people naturally avoid it
 - ii. If: it belongs to a non-Jew, make a divider "bigh (again, if it is הקדש, no need)
 - b. If: traveling and he departed >30 days before מייב לבער, פסח, closer to חייב ביעור, פסח
 - i. אביי he's only liable to check if he plans to return during פסח
 - 1. Challenge (נבא): if he plans to return during מסח, no matter how early he leaves he must check
 - ii. אבי. he's only exempt from checking if he leaves >30 days before and doesn't intend to return during פסח
 - 1. Note: רבא is consistent: he rules that if someone turns his house into a grain-storage facility
 - a) If: >30 days before חיוב ביעור, unless he intends to remove the grain before פסח

c. Source: for "30-day" rule – הוספתא מגילה ג:ה

- i. מ"ק. begin studying the laws of פסח 30 days in advance
 - 1. Source: vv. 2-3 משה taught פסח שני on פסח
- ii. דשב"ג. begin studying 2 weeks in advance
 - 1. Source: v. 4 משה was instructing them about פסח סח מ"ח on ח"ח
 - a) Challenge: how do we know that v. 4 took place on ר"ח ניסן?
 - b) Rather (ר"ביעא: v. 5, (יבירא:במדבר במדבר במדבר [v. 6]) was on ה"ח and he was instructing re: פסח ראשון
 - i. Tangent: this sequence teaches that אין מוקדם ומאוחר בתורה
 - $1.\mathit{Proof}$: א במדבר takes place on 02.02.01, במדבר takes place on 02.01.01
 - 2. only between narratives; hermeneutic rules prove that within 1 narrative, יש מוקדם ומאוחר a.Note: כלל ופרט which are distant still must be within 1 narrative to be source of inference

ורב. at time of בדיקה, must also nullify ownership of חמץ

- a. Cannot be: due to crumbs, as they are insignificant
 - i. And: being "guarded by house" doesn't give them significance, per ברייתא re: ...ו דו re: סופי תאנים ומשמר שדהו...
- b. אבא precaution against his finding a cake during יו"ט
 - i. Challenge: let him nullify it at that point
 - 1. Answer: by that time, it is inaccessible (although he is liable akin to בור ברה"ר)
 - ii. Challenge: let him nullify before midday
 - 1. Answer: he'll forget since the איסור hasn't begun and he isn't checking
 - a) And: at 6th hour, since איסור דרבנן kicks in, it's no longer his to nullify
 - i. Proof: from הפקעת קידושין from someone who is מקדש בחמץ משש שעות
 - 2. Challenge: מיר"ט") יום טוב and on שבת and on ייו"ט" must be (פסח must be מסח)
 - a) Answer: referent is dough as yet unrisen, he nullifies before it rises