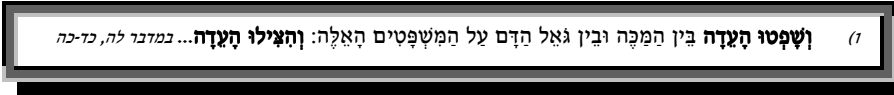


4.1.10

11b (תנאי היא) → 12b (משניות ד-ה)

Note: our סוגיא makes multiple references to hours; these hours are 1/12 hours (שעות זמניות), counted from sunrise. For ease of the outline, we will imagine a 6-6 day, such that the end of the 3rd hour is at 9 a.m. etc.

Note: both ד משניות and ה are printed together on א: since ה משנה isn't addressed until later, we will present it on p. 11



- I. חמץ ד משנה: rabbinic precautionary times for eating/destroying
 - a. חמץ ד"מ eat until 5 hours (11:00), and immediately destroy all
 - b. חמץ ד' יהודה eat until 4 hours (10:00), wait an hour and destroy at 5 hours (11:00)
- II. Back-door סוגיא – analysis of dispute ר"מ/ר' יהודה regarding divergencies in testimony (סנהדרין ה:ג)
 - a. חמץ ד"מ maximum discrepancy allowable is שתי שעות while other testifies that it happened at שלש שעות
 - b. חמץ ד' יהודה allows שלש שעות while other testifies that it happened at חמש שעות
 - i. ר"מ allows for no mistake – variance is due to terminology (it happened at end of 2nd hour)
 - 1. And: ר' יהודה allows for ½ hour mistake – (+variant terms)
 - 2. Challenge (רבא): ר"מ allows for a small error; it happened at end of 2nd hour or beginning of 3rd – and one is “off”
 - 1. And: ר' יהודה allows for 1 hour+; it happened at end of 3rd hour or beginning of 5th – and one is “off”
 - 2. Challenge (רבא): בית דין is supposed to always interpret as generously as possible
 - a) Based on: v. 1 – and if they meant the opposite (beginning of 3rd hour and end of 5th) it's a הכחשה
 - ii. ר' מאיר allows for 2 hours mistake (שתי might mean 7, שלש 9)
 - 1. And: ר' יהודה allows for 3 hours mistake (שלש might mean 8, חמש 11)
 - 2. Challenge: סנהדרין ה:א-ב – difference between חקירות וביקות (חקירות include “at what time”)
 - a) ברייתא: difference between חקירות/בדיקות – in חקירות, if either עד says he doesn't know – בטל
 - b) if: we allow for such a wide margin of error – can't be מזים the witnesses → יכול להזימה
 - c) answer: we give them that entire period (expanded to include error zone of מזימים)
 - i. לר"מ we allow for range from beginning of 1st hour until end of 5th hour
 - 1. And: by rights, we should allow earlier – but no one confuses pre-sunrise with daytime
 - ii. לר' יהודה we allow for range from beginning of 1st hour until end of 6th hour
 - 1. And: by rights we should allow later - but no one confuses ante meridian with post meridian
 - c. Alignment: of the dispute re: testimony with our משנה regarding חמץ
 - i. ר"מ should allow eating until noon (or just before); ר' יהודה should allow eating until 11:30 or 11:00
 - 1. Answer: whereas everyone needs to avoid חמץ (more room for error), testimony is done by experts
 - ii. ר"מ should disallow at 10:00 (4 hours); ר' יהודה should disallow at 9:00 (3 hours)
 - 1. Answer1 (רבא on behalf of רבא): everyone needs to avoid חמץ (as above)
 - 2. Answer2 (רבא): ר' יהודה follows his own approach (פסחים ב:א) – בייעור חמץ must be done by burning
 - a) And: rabbis allowed for 1 hour to gather wood for fire
 - b) Challenge (רבא): ר' יהודה requires burning before midday; at midday (שעת בייעור) – any method
 - 3. Answer2 (רבא - corrected): he adds an hour to account for a cloudy day
 - a) Challenge: then he should forbid even at 4 hours (10:00)
 - b) Answer: per ברייתא detailing meal-times; 4 hours is “normal” meal time; all know when this is
 - i. Tangent: discussion about various meal times and of value of eating “something “ in the morning