

4.4.2

(למקח וממכר) 53a → (ההולך ממקום) 51b

(1) ולבהמתך ולחיה אשר בארץ תהיה כל תבואתה לאכל ויקרא כה, ז
 (2) עמי בעצו שאל ומקלו יגיד לו כי רוח זנונים התעה ויזנו מתחת אלהיהם: הושע ד, יב
 (3) ויתן המלך את הכסף בירושלם כאבנים ואת הארזים נתן פשקמים אשר בשפלה לרב: מ"א י, כז

- I. Clarification of “מפני המחלוקת” - the משנה’s rationale for maintaining חומרות of both places
- only refers to רישא – avoiding מלאכה in a town where they don’t work (even though the home town works)
 - refers to both – avoiding work will not cause מחלוקת (people seeing it will think he is unemployed)
 - ד’ ספרא: it is permissible to act differently (follow home custom) in a deserted area of “new country”
 - Practicum: רב יוסף administered lashes (or excommunicated) a man for arriving in פומבדיתא on י"ט שני of שבועות
- II. Analysis of ב' משנה – ר' יהודה – צא והבא לך אף אתה: ר' יהודה – משנה ב'
- (hidden text:) ד' שישא “not finished” → “not finished” then finished in his home town:
 - ביעור ד'ק: msut do
 - ד' יהודה: “bring some yourself” (i.e. there are fruit locally)
 - Challenge: ר' יהודה is referred to as “stringent” here
 - Answer: indeed – reverse positions
 - אבני: “not finished” → “finished” → back home
 - ביעור ד'ק: no need for
 - ד' יהודה: since came from place where finished, must do ביעור
 - ד' אשי: parallel to dispute re: brining 3 different vegetables together (שביעית ט:ה)
 - ד' א"א: follow earliest one to be gone
 - ד' יהושע: follow last one to be done (ת"ק:)
 - ר' יהודה: each one goes when its species is done (ר' יהודה:)
 - ד' דבינא: parallel o dispute re: lats time to eat dates
 - ד'ק: until last date in צוער is finished (ת"ק:)
 - ד' שב"ג: only accessible date sin צוער (ר' יהודה) – note his wording: “bring some yourself”
- III. ברייתא 3 “lands of ביעור” (Judea, Galilee, Transjordan) (שביעית ט:ב)
- Per v1: while food is available in field, may keep it at home; once gone from field, must expel from home (ביעור)
 - Note: this is regional: if all grapes are gone in Judea, all Judeans (only) must perform ביעור
 - Reason: wild animals in Judea do not feed from Galilean food etc.
 - Then: as soon as it is gone from the field, you must expel it from the home (ביעור)
 - Location of ביעור: in situ or in Israel
 - ד'ק: wherever you are
 - ד' שב"א: ארצך
 - ד' ספרא: favored tradition that ר' אבהו ruled against רשב"א and was able to dispose of his wine where he was
 - ד' ספרא: played on v. 2 to critique ד' יוסף
- IV. Prohibition of cutting down branches with פירות שביעית – only if it destroys them
- Story: ר' אילעא with small dates on it
 - Proposal#1: perhaps the ruling (per v. 3) only applies once it is food
 - Challenge: ר' נחמן disallowed even early buds of ערלה since they “guard” the fruit
 - Defense: perhaps ר' יוסי ruled like ר' אילעא and ר' רבנן followed (replication of earlier dispute)
 - Rejection: ר' רבנן, who reject סמדר as being פרי, disallow all other fruits from when the bud comes out
 - Answer: ר' אילעא’s tree had ניסחני – small dates that have already reached full maturity
 - Arch locations for each fruit: grapes – אבל כרמים; olives – תקוע/גוש חלב (¼ קב left on tree); dried dates – בית היני
 - יהודה: בית היני is mentioned only in conjunction with dried dates re: מעשר (יד: ז:יד) מעשר
 - Dates: רשב"ג; צועק; ר' יהודה
 - Challenge: seasonal “endings” (grapes – פסח; olives – שבועות; dates – חנוכה; dried dates – פורים)
 - Answer: same time, or this is “last resort” time
 - ד' שב"ג’s indicators: mountains: fruit, valleys: dates (ביכורים); wadi: reeds (עגלה ערופה); plains – sycamore (commerce)