

21.2.2

22b (מדינה ומנין נמי הוי סימן) → 23b (כריכות ברה"ר)

I Analysis of list of examples in 'א: משנה א:

- a Dispute between רבא/רבה about סימן העשוי לידרס (and about מקום as a valid סימן):
- i רבה: this is true even if they have a סימן;
 - 1 Reason: he maintains that a סימן which is likely to get trampled is no סימן
 - ii רבא: only true if it has no סימן; if it has a סימן, must declare
 - 1 Reason: he maintains that a סימן, even if it is likely to be trampled, is still a סימן
 - iii Note: some read this dispute as independent of our משנה
 - iv Challenge to דבא: next משנה rules that כריכות ברה"י require declaration → must have סימן (else, what does he declare?)
 - 1 Answer: no inherent סימן; he announces where it was found (מקום is a סימן)
 - (a) דבא: location is not a סימן
 - v Challenge to both: ruling that big sheaves (אלומות), in either רה"י or רה"ר require הכרזה
 - 1 דבא: (since סימן העשוי לידרס isn't a סימן) –sheaves have a סימן:
 - (a) Small sheaves: get trampled in רה"ר, no סימן; in רה"י they aren't trampled – סימן is valid
 - (b) Big sheaves: aren't ever trampled → סימן is valid everywhere
 - 2 דבא: (since מקום is valid) – sheaves have no סימן
 - (a) Small sheaves: get moved around in רה"ר → מקום isn't valid; in רה"י, they stay still → מקום is valid
 - (b) Big sheaves: don't get moved in either area → מקום is always valid
 - vi Challenge to דבא: clause in our משנה allowing baker's loaves, but not ב' בעה"ב's loaves (as per next משנה)
 - 1 Case: must be with a סימן (else what is there to announce?) → סימן העשוי לידרס is still valid
 - (a) Answer: people avoid walking on food (won't be trampled) → limited to area where there are no animals
- b Suggestion: this dispute replicates dispute in our משנה; where ר' יהודה states that any unusual feature requires הכרזה
- i Assumption: all agree that
 - 1 a self-generated סימן (like a potsherd in figcakes) is a סימן and
 - 2 we are not obligated to pick up foods and may leave them in רה"ר (מעבירין על האוכלין)
 - ii dispute: whether סימן העשוי לידרס is a סימן (ר' יהודה) – still a סימן
 - 1 Rather: all agree סימן העשוי לידרס is a valid סימן and we may leave food where it is
 - (a) Dispute: whether a self-generated סימן is valid (ר' יהודה – valid)
 - 3 And דבא: would explain that all agree סימן העשוי לידרס isn't valid – and we must pick up food
 - (a) Dispute: whether a self-generated סימן is valid (ר' יהודה – valid)
- c Alternate version: all agree that a self-generated סימן is valid and סימן העשוי לידרס is invalid
- i Dispute: whether we may leave food there (ר' יהודה) – may not
 - 1 Rather: all agree סימן העשוי לידרס is a valid סימן and we may leave food where it is
 - (a) Dispute: whether a self-generated סימן is valid (ר' יהודה – valid)
 - 3 And דבא: would explain that all agree סימן העשוי לידרס isn't valid – and we must pick up food
 - (a) Dispute: whether a self-generated סימן is valid (ר' יהודה – valid)

II Halakhic summary from ר' זביד in the name of רבא:

- a General rule of אבדה: one the owner says "woe to me for the loss" – this is ייאוש
- b סימן כריכות: if no סימן
- i If: found in רה"ר, he may keep them
 - ii If: found in רה"י;
 - 1 If: they fell – he may keep them
 - 2 If: they were placed there – must declare
- c כריכות: if there is a סימן, in all cases must declare
- d Challenge: why may he keep the string of fish (in our משנה) - why isn't the knot a סימן?
- i Answer: if it was tied in a common knot used by all
- e Challenge: why isn't the amount of fish a סימן?
- i Answer: it had the standard number of fish
- f Question asked of ד' ששת: is a number a valid סימן?
- i Answer: from ruling that we do not return metal vessels etc. unless the claimant can prove that it has the right weight, we see that weight is a סימן → so is any measure (e.g. volume) and number