

26.4.7

56b (דמי דהווא חמרא מי אמרי) → 58a (מה שבבור אסור והשאר מותר)

- I Analysis of 3rd clause – if he bought the גת after some wine was in the בור; only that wine is אסור – rest is מותר
- a אסור ר' הונא: only if he didn't return the basket to the upper גת; otherwise, all is אסור
- i Question: how did basket become אסור?
- 1 Suggestion: through ניצוק (flow – at bottom of stream, hits בור where it is י"נ)
 - 2 Block: our position (contra צדוקים) is that ניצוק אינו חיבור
 - 3 Rather: case where wine in בור filled up and touched bottom of basket
- b Story: 6-year old (prodigy) mastered ע"ז – was asked if it is permissible to trample w/ עכ"ם
- i Answer: permitted – as long as his hands are tied (to keep him from ניסוך)
- ii When asked: what about ניסוך by his legs, he answered that אין ניסוך ברגל
- c Story: in נהרדעא, ישראל and עכ"ם trampled grapes together; שמואל waited until חכמים gathered to rule
- i Possibility: he was waiting to see if anyone supported ר' נתן – who ruled that if the גוי measured out wine by hand, אסור (חכמים – even by hand מותר)
- 1 Block: even ר"נ only prohibited if he measured by hand – not by foot
 - ii Rather: to see if anyone supported ר"ש – touch of עכ"ם without intent for ניסוך is מותר בשתייה
- d Story: in בירים, עכ"ם climbed tree; on way down, his stick went into wine
- i Ruling (רב): may sell wine to עכ"ם
- 1 Challenge: רב had ruled that even a day-old child effects י"נ
 - 2 Response (רב): that only prohibits drinking, not הנאה
- ii Revisiting רב's ruling: about the day-old child
- 1 Challenge: if someone bought slaves who had had ברית מילה but no טבילה (not ישראל yet)
 - (a) Or: slave children born into house who had מילה but no טבילה
 - (b) Status for טומאה: as per זבים (emissions – even in רה"ר – are טהור)
 - (i) Or: alternate version – in רה"ר – טהור
 - (c) And: adults (who understand ע"ז) – effect י"נ; minors (who don't understand ע"ז) – don't make י"נ
 - (d) Point: י"נ is limited to גדולים
 - (i) Defense: that distinction is only in re: בני שפחות (who were raised in ישראל's home)
 - (ii) Challenge: link made by וכן obviates that
 1. Answer: the link is in re: emissions that render טומאה
 2. Challenge: that is only valid according to version "טמא"; not "טהור"
 - a. Answer: teaches that בני שפחות: עבדים – only a problem is they haven't had טבילה
 - b. Contra: שמואל - עבדים need (ריב"ל) 12 mo.) to forget ע"ז before no longer generate י"נ
 - 2 Challenge (רבא לר"נ): against שמואל's ruling – from ברייתא above (buying עבדים)
 - (a) Argument: only מלו וטבלו make י"נ – but מלו וטבלו are immediately "clean"
 - (i) Defense: as above – refers to בני שפחות (but "וכן"; applies to טומאה; acc. to version "טהור")
 - (ii) Conclusion: compares עבדים: בני שפחות
 1. Just as: בני שפחות – only adults can make י"נ
 2. Similarly: עבדים – only adults can make י"נ (contra רב)
- e Story (in מחזא עכ"ם put his hand into wine barrel of ישראל (in his wine store) to see if it was wine
- i Then: ישראל denied it was wine – ישראל got mad and threw him out
- ii Ruling (רבא): may sell to עכ"ם
- 1 Dissent: colleagues – out of town – dissented and announced it was אסור
 - (a) When: ר' הונא בריה דר"נ came to מחזא (after רבא was "dressed down" by אביי – see next page) - convened privately. הונא ר' asked רבא what the ruling is if עכ"ם puts his hand into wine without intent
 - (b) Answer: אסור – even to sell
 - (c) Challenge: but he had ruled that it may be sold
 - (i) Defense: must lose value of the wine that was touched; may sell other wine in store
 1. Note: this was a "cover-up"; he really had permitted selling all the wine (רש"י)