

28.13.6

111a (משנה ז) → 112a (סיום הפרק)

- I העלאת בחוץ of a bird, inside or outside, vis-à-vis liability for שחיטה and מליקה: משנה ז'
- a If: he did מליקה inside and then העלאת outside – liable
- i But if: he did מליקה outside – exempt for העלאת
- b If: he did שחיטה inside and then העלאת outside – exempt
- i But if: he did שחיטה outside – liable for העלאת
- c Conclusion: the הכשר inside exempts him outside, and the liability outside (repaired from הכשרו) exempts him inside
- i Dissent (ר"ש): any case where there is liability for doing outside, if he does it inside and then העלה בחוץ – liable
- 1 Except: שחיטת פנים and בחוץ העלאת – where there is no liability
- ii Question: to what is ר"ש responding?
- 1 Cannot be: ר"ש – ר"ש contending that מליקה outside should also lead to חיוב
- (a) Reason: if so, wording should be ... כל שחייבין עליו בפנים
- 2 Cannot be: ר"ש – ר"ש contending that בחוץ שחיטה should also be exempt –
- (a) Reason: if so, wording would be ... כל שאין חייבין עליו בפנים
- 3 Rather: must be סיפא – to say that just as he is חייב for חוץ שחיטת חוץ, should be חייב for פנים שחיטת פנים
- (a) Block: that was the one exception he mentioned
- 4 Answer: there is another (hidden) statement of ת"ק to which he is responding
- (a) ת"ק זעירי – if העלאת בחוץ פטור – בפנים שחיטת בהמה – if done at night; if done outside – חייב העלאת חוץ – בפנים בלילה שחיטה – בחוץ, so too if the שחיטה was done בלילה – liable for חוץ העלאת חוץ
- (b) ת"ק דבה – if דם was received in חוץ פטור – בחוץ העלאת חוץ; if received outside חוץ פטור – חוץ העלאת חוץ – liable
- (i) ת"ק דבה – if דם was received in חוץ פטור – בחוץ העלאת חוץ, so too if the דם was received in חוץ פטור – חוץ העלאת חוץ – liable outside
- iii However: version of משנה (אבוה דשמואל) – ר"ש dissents about בחוץ העלה בחוץ (he holds חייב)
- 1 Now: ר"ש was responding to ר"ש and had no exception (different from version in our משנה)
- II כוסות in one or two מתנות דם חטאת: משנה ח'
- a If: the דם חטאת was received in one כלי
- i If: he put some on the מזבח inside then some outside – in either case – liable; since all דם belongs inside
- b But if: the דם חטאת was received in two כוסות
- i If: he put both inside – פטור; if he put both outside – חייב
- ii If: he put the first inside, then the other outside – פטור
- iii But if: he put the first outside – חייב; then the 2<sup>nd</sup> (put inside) is מכפר
- c Analogy: if he designated a חטאת, it got lost and he designated another and then found the first – both available
- i If: he slaughtered both inside – פטור; both outside – חייב
- ii If: he slaughtered the first inside and the 2<sup>nd</sup> outside – פטור
- iii But if: he slaughtered the first outside and the 2<sup>nd</sup> inside – he is liable for 1<sup>st</sup> and the 2<sup>nd</sup> is מכפר
- 1 Note: if he slaughtered both inside, even though the second is פסול (בעליה שנתכפרו בעליה), the זרה"ד of the first removes מעילה-status from both
- III Analysis and attribution
- a Putting דם from one כוס outside after putting inside: why should he be liable? This is הדם שיירי?
- i Answer: our משנה follows נחמיה ר' (above, משנה ו) – offering הדם שיירי generates liability
- ii Challenge: in 2<sup>nd</sup> clause, we rule that if the first כוס was offered inside, he is exempt if he offers 2<sup>nd</sup> כוס outside
- 1 But: that is שיירי הדם – should be liable (according to ר"נ)
- 2 Answer: we include disputant of ראב"ש who holds that one כוס invalidates the other (→ 2<sup>nd</sup> כוס is דחוי)
- b Analogy: what is the purpose of this analogy? (the ruling is obvious)
- i Answer: this is needed for רבי: only if he designates the replacement while the 1<sup>st</sup> is lost, but if he *ab initio* designates 2 חטאות (as backup), one is (already) an עולה
- 1 Per: רב's ruling that an אשם that was designated for grazing that was slaughtered סתם is a valid עולה
- (a) Challenge: an אשם could become an עולה – both are male, but a חטאת is female
- (b) Answer: a שיעיר נשיא is a male חטאת