

28.13.6

111a (משנה ז) → 112a (סיום הפרק)

- I העלאה בחוץ vis-à-vis liability of a bird, inside or outside, מליקה and שחיטה: משנה ז'
- a If: he did מליקה inside and then העלאה outside – liable
i But if: he did מליקה outside – exempt for העלאה
- b If: he did שחיטה inside and then העלאה outside – exempt
i But if: he did שחיטה outside – liable for העלאה
- 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 – where there is no liability
ii Question: to what is ר"ש responding?
1 Cannot be: ר"ש – רישא – contending that מליקה outside should also lead to חיוב
(a) Reason: if so, wording should be ... כל שחיבין עליו בפנים
2 Cannot be: ר"ש – סיפא – contending that שחיטה בחוץ should also be exempt –
(a) Reason: if so, wording would be ... כל שאין חיבין עליו בפנים
3 Rather: must be סיפא – to say that just as he is חייב for 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 שחיטת בהמה was done at night בפנים – פטור for העלאה בחוץ; if done outside – חייב
(i) ד"ש just as he is liable בחוץ, so too if the שחיטה was done בלילה – liable for העלאת חוץ
(b) ת"ק דבה – if דם was received in חול כלי inside – פטור for העלאת חוץ; if received outside חול כלי – liable
(i) ד"ש just as he is liable בחוץ, so too if the דם was received in חול כלי inside – liable outside
iii However: version of משנה (אבוה דשמואל) ר"ש – ר"ש dissents about בחוץ והעלה בחוץ (he holds חייב)
1 Now: ר"ש was responding to רישא and had no exception (different from version in our משנה)
- II ח' 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 2nd (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 2nd outside – פטור
iii But if: he slaughtered the first outside and the 2nd inside – he is liable for 1st and the 2nd is מכפר
1 Note: if he slaughtered both inside, even though the second is פסול (חטאת 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 שיירי הדם
i Answer: our משנה follows נחמיה ר' (משנה ו, above) – offering שיירי הדם generates liability
ii Challenge: in 2nd clause, we rule that if the first כוס was offered inside, he is exempt if he offers 2nd 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 invalidates the other (→ 2nd 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 1st 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 שתם 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