

30.7.5

94b (כי חזי ליה ידע ליה) → 96a (ההוא טבחא דא"ל לחבריה)

1. ושמואל מת ויסקפדו לו כל ישראל ויקברוהו ברמה ובעירו ושאלו הסיר האבות ואת הידענים מהארץ: שמ"א כח, ג
 2. ויאמר אלהם יעקב אביהם אתי שכלתם יוסף איננו ושמעון איננו ואת בנימין תקחו עלי היו כלנה: בראשית מב, לו

- I Continuation of discussion of דעת, specifically as it relates to מאכלות אסורות
- a *Story*: טבח claimed (perhaps to harass a lost buyer) that he had slaughtered 2 and one was טריפה
- i דבי we won't disqualify all מקולין (slaughterhouses) because one intended to hurt someone or acted wrongly
- ii *Note*: in version 2, only because he intended to act wrongly – but if he just erred – we would invalidate his
- 1 *Challenge*: רבי holds that we may buy meat from non-Jewish meat brokers at מקולין w/ שוחטים who are ישראל
- 2 *Answer*: in this case, the חזקה was challenged (by this one's behavior)
- II רב's ruling re: העין בשר שנתעלם מן העין (meat that wasn't under constant human supervision) – אסור
- a *Challenge1*: רבי's ruling re: מקולין
- i *Answer*: since it is in the hands of the broker, not considered מן העין נתעלם
- b *Challenge2*: ruling of "found meat" (9 out of 10 stores sell שחוטה); if he went in – אסור → קבוע; if found – follow רוב → מותר
- i *Answer*: it was found in the hands of a non-ישראל (but not "out of sight" for any time)
- c *Challenge3*: if he finds meat in a mixed city (ישראל ועכו"ם) – follow רוב of slaughterers; if cooked, follow רוב of cooks
- i *Cannot be*: (cooked meat) found in hands of עכו"ם – then it is surely אסור
- 1 *Rather*: must be a case where he saw it fall from someone's hand – but doesn't know his identity
- d *Challenge4*: if meat is found outside of מקדש – limbs are considered גבלה, but חתיכות are permitted
- i *Cannot be*: found in the hands of the נכרי; if so, why would limbs be prohibited
- ii *However*: רב himself reads that ruling as חתיכות מותרות משום נבילה – but may not be eaten (לוי – may be eaten)
- e *Note*: רב's ruling (בשר שנתעלם מן העין) wasn't explicitly stated, but inferred from a story
- i *Story*: רב saw man cleaning animal head in water, it fell in and 2 came out – he prohibited them
- 1 *Challenge (to רב)*: but the found one might have been היתר
- 2 *Answer*: animals which are אסור are more common here
- ii *Question*: if it is מכללא (inferred), why is that any less compelling than an explicit statement?
- 1 *Answer*: perhaps he only prohibited it because the nearby port was mainly visited/populated by נכרים
- (a) *Note*: his wording indicates that איסורא שכיחי טפי –
- f *Question*: how was רב himself ever able to eat meat?
- i *Answer1*: he would never take his eye off of it from שחיטה on
- ii *Answer2*: he would use unique knots or a סימן-cut in it
- iii *Story*: רב went to visit his son-in-law, saw a good omen (re: the ferry) and used it to decide to go
- 1 *When*: he got there, he espied meat hanging in kitchen, but everyone – including the cook – left their station to greet him, so he kept his eye on the meat and then told them that had he not done so, would've been אסור
- (a) *Then*: he refused to eat – even though he watched it,
- (i) *Reason1*: because he had used the omen, he felt bad and refused to benefit
1. *Challenge*: רב himself ruled that any omen unlike (בר' כד) אברהם or עבד אברהם (ש"א יד) יונתן isn't a נחש
- (ii) *Rather*: because he wouldn't eat at a סעודת רשות
- III Tangent: use of omens (נחש) – רב and שמואל, ר' יוחנן all had items they would use as omens; ר' יוחנן used פסוקי תינוק to decide whether or not to go to בבל after he was impressed with שמואל (v. 1)
- a דשב"א a baby being born, a new house or marriage are a good סימן (but not נחש) – but only if they work 3 times (v. 2)
- IV Use of identifying marks to allow meat to be eaten
- a *Question*: if pieces of meat are tied together – that is a sure sign and may be eaten
- b *case*: birds dropped meat on עיר"כ and it was allowed, since רוב meat slaughtered that day was שחוטה
- c *Case*: meat was lost between barrels (in wine cellar) – 'tho it had no סימן, the owner recognized it (טביעות עין) → מותר
- d *Additional cases*: with meat and with dyed תכלת (could've been other dye) – was permitted עין טביעות
- i לבא originally thought that סימנים were better than טביעות עין; since we return אבירה based on סימנים but not טב"ע
- 1 *But*: after he heard these rulings, he realized that טב"ע is stronger
- (a) *Proof*: else, how could a blind man sleep with his wife, or any man with his wife at night (טב"ע of voice)
- (b) *Proof*: if witnesses testify that someone with such-and-such סימנים killed, we don't execute;
- (i) *But*: if they recognize him (טביעות עין) – we do punish
- (c) *Addition proof (רב אשי)*: instructing someone to find another based on סימנים may work, but if he knows him and has טב"ע, it will certainly work