

39.3.5

26a (משנה 27) → 27a (ואחד בסוף ט')

- I משנה 27: status of טומאת מת (אהל) of a placenta
- a **חכמים**: if a placenta is in the house, it is טמא – not because it is טמא, but because there is never a placenta without a וולד
 - b **ל"ש** (טהור) – perhaps there was a וולד inside that got mashed up before it came out
- II Discussion about size and development of שליא
- a תוספתא נדה ד: ט: **ברייתא** – describes development
 - b *Related* **ברייתא** ר' אושעיא listed 5 which have טפח שעור (1) שליא (2) שופר (טפח) on each side of hand holding it, (3) שדרה (of טהרת מצורע and מי חטאת אזוב) (4) סוכה (3rd wall), (5) **לולב** – needs 1 טפח above הדס), (4) wall of סוכה (3rd wall), (5) אזוב (for חטאת)
 - i *Challenge*: - אהלות ג:ז - a cubed טפח acts as חציצה and conduit for טומאת אהל
 - 1 *Defense*: ר' אושעיא only listed linear טפח
 - ii *Challenge*: כלים ה:ב – extensions of an oven - up to a טפח, considered חבור
 - 1 *Defense*: in that case, less than a טפח is certainly חבור; he only listed cases where טפח is a minimum
 - iii *Challenge*: כלים ה:א – dispute as to minimal size of an oven (טפח – חכמים) – may be טפח
 - 1 *Defense*: ר' אושעיא was only listing matters of consensus, here ר"מ disagrees and has larger minimum שעור
 - 2 *Note*: this could also answer the previous challenge, as ר' יהודה limits application of טפח to חבור תנור
 - iv *Challenge*: שמות כה:כה – שלחן (d: that is explicit in the תורה – מסגרת)
 - v *Challenge*: כפורת is 1 טפח thick (d: ר' אושעיא wasn't including קדשים – which can also answer previous challenge)
 - vi *Challenge*: עירובין א:ג – קורה (of מבווי) need only be 1 טפח wide (d: ר' אושעיא wasn't including laws דרבנן)
 - 1 *Summary*: he includes those laws that are מה"ת but whose שיעורים are not explicated in the text - c **רב** (as quoted by רב יהודה and reported by students to ר' כהנא): for 3 days after a birth, we assume the שליא to be from that וולד
 - i *But*: afterwards, we assume it to be from another וולד
 - ii *Challenge* (ר' כהנא): רב ruled that וולדות come out together
 - 1 *Proposed solution*: perhaps they only come out together if the one is alive; but if it is a נפל, שליא may come out later
 - 2 *Response* (student to ר' כהנא): רב explicitly said that if she miscarried and then had a שליא, within 3 days, תולין בנפל
 - (a) *But*: if she had a live birth and then a שליא came out, we assume it to be from וולד even up to 10 days later
 - iii *Story*: שמואל asked students of רב and they confirmed his ruling – that we don't associate a שליא with a וולד unless it was viable (he was upset with רב יהודה for not sharing that פסק with him)
 - d *Question posed to ר' דבי*: if she is מפיל something that looks like a raven along with a שליא, what is the status (of שליא)?
 - i *Answer*: we don't assume the שליא to be connected to נפל unless it looks like a mammal (that has a placenta)
 - ii *Comeback*: what if שליא is tied on to the נפל?
 - 1 *Answer*: such things do not happen
 - 2 *Challenge*: if she is מפיל something looking like חיה בהמה, עוף or עוף and a שליא is with them
 - (a) *If*: it is tied to the נפל, no concern that there is another וולד
 - (b) *But if*: it is not tied to the נפל, might be from another וולד
 - (i) *And*: we are חושש for both genders (e.g. if נפל was M, we are חושש that שליא comes from F)
 - (ii) *Reason*: perhaps the sac of the placenta or the placenta of the נפל was melted – תיבתא (of רבי's dismissal)
 - e **שמואל**: once happened that they associated a שליא with a birth 10 days later – but only if it comes after the וולד (not before)
- III Discussion – possible range of birth events in one pregnancy
- a **ד' יוחנן** story – they once associated a שליא with a וולד 23 days afterwards (or – per רב יוסף – 24 days)
 - b **ד' יצחק** story – once a twin delayed coming out until 33 days after the first (or – per רב יוסף – 34 days)
 - i *Note*: this only works according to approach that a woman who goes full-term can also birth prematurely
 - ii *But*: according to approach that if a woman is going to deliver at term, she won't have another birth early – doesn't fit
 - iii *Rather*: invert stories – שליא was 33/34 days later, twins were separated by 23/24 days (all within 9th month)
 - c *Story from בית שערים* (or **כפר שערים**): ר' חייא's sons (twins – חזיקה ויהודה) were born 3 months apart
 - i *Challenge*: a woman can't get pregnant while she's already pregnant
 - ii *Answer* (**אב"י**): there was one drop that was divided into two;
 - 1 *And*: one was complete at the beginning of 7th month; the other only after 9th month