

OVERVIEW of the Daf

1) Sumchus's reasoning (cont.)

A Baraisa is cited that presents R' Yehudah's position as suggested in the Gemara's previous discussion.

Another unsuccessful attempt to clarify Sumchus's opinion is recorded.

2) **MISHNAH:** The Mishnah begins with the rules for when a butcher must inform a customer that he already sold the parent or offspring. The Mishnah concludes with a discussion of the four times we compel a butcher to slaughter an animal even if someone ordered only a small amount of meat.

3) Clarifying the Mishnah

A Baraisa teaches that if the seller does not say anything to the customer, the customer may assume that he may slaughter the animal that day.

It is noted that R' Yehudah teaches that it is common for the groom's family to spend more for the wedding celebration than the bride's family.

The Mishnah's ruling concerning the case in which we compel a butcher to slaughter an animal is clarified.

R' Elazar in the name of R' Yochanan offers another explanation of the Mishnah's ruling.

4) **MISHNAH:** The Mishnah defines "one day" regarding the prohibition of "it and its offspring."

5) Defining "one day"

A Baraisa explains why an exposition was necessary to teach that regarding the prohibition of "it and its offspring" that the day follows the night.

הדרן עלך אותו ואת בנו

6) **MISHNAH:** The Mishnah discusses details related to the mitzvah of covering the blood.

7) Sacred animals

The Gemara searches for the source that the mitzvah of covering the blood does not apply to sacred animals.

It is decided that the Mishnah refers to slaughtering animals consecrated for Beis HaMikdash upkeep rather than animals consecrated for a korban. ■

Distinctive INSIGHT

The seller has to issue a fair warning

בארבעה פרקים בשנה המוכר בהמה לחבירו צריך להודיעו אמה מכרתי לשחוט בתה מכרתי לשחוט

The Mishnah teaches that there are four times during the year when a seller of animals must inform a buyer if he had already sold a particular animal's mother or offspring that day. It is assumed that the animal already sold will be shechted that day, and the second animal to be sold may not be shechted that same day.

Rashi explains that these four times of the year are times when the Jewish people celebrate with festive meals of meat, and the seller is required to inform the second buyer that "the first animal might have already been shechted that day." Ramban writes that this warning is not simply to advise the second buyer to be aware that he not be in violation of the prohibition not to shecht "an animal and its offspring in the same day." Rather, there are also practical monetary consequences of selling an animal which may not be shechted when the buyer expects to do precisely that. If he was not informed, the buyer could claim that he bought the animal on the eve of the festival in order to eat it. He could therefore return to the seller and claim that he was cheated, as he intended to shecht the animal that day, and he was sold an animal which could not be shechted as expected.

The Achronim note that Rashi writes that the warning of the seller is that the first animal "might have already been shechted." Why did Rashi not simply write that the seller must say that the first animal was sold that day, and the buyer had the first right to shecht his animal, thus placing a limit on the shechita of the second animal which is now being sold?

The explanation given for Rashi is that once the first ani-

Continued on page 2)

REVIEW and Remember

1. When is an animal seller obligated to inform a buyer that he sold an animal's parent or child that same day?

2. How do we know that generally the day follows the night?

3. The mitzvah to cover the blood applies to which animals?

4. How do we know that it is necessary to have dirt below and on top of the blood of a bird or an undomesticated animal?

HALACHAH Highlight

Knowingly putting one's self into a circumstance of ones

ואין שוחטין אותו ביום טוב

We may not slaughter it on Yom Tov

Mordechai¹ writes that if someone's tzitzis rip off of his garment on Shabbos it is Biblically permitted for him to wear the garment. The reason is that the Torah does not forbid a person to wear a four-cornered garment without tzitzis. The mitzvah of the Torah is to tie tzitzis to a four-cornered garment. When a person is unable to tie tzitzis to a garment due to circumstances beyond his control - ones - for example on Shabbos, he becomes exempt for that period of time from fulfilling the mitzvah. [Rabbinically, it is prohibited in many circumstances for one to wear such a garment even on Shabbos².] It is evident from Mordechai that one is permitted to put himself into a circumstance of ones even though he will thereby be exempt from a mitzvah. This is clear from his allowance to put on a four-cornered garment that does not have tzitzis even though he will be exempt from the mitzvah since he cannot tie tzitzis onto his garment on Shabbos.

Our Mishnah teaches that one should not slaughter a koy on Yom Tov. The reason is that it is not clear whether the koy is a domesticated or undomesticated animal. Since it is prohibited to cover the blood on Yom Tov since the koy may be a domesticated animal whose blood is not covered, one may not slaughter the koy since it may be an undomesticated animal whose blood must be covered and one may not create a circumstance whereby he will not be able to fulfill a mitzvah³. Seemingly, according to Mordechai, it should be permitted for one to slaughter the koy on Yom Tov even though after the slaughtering he will then face an ones and will not be able to fulfill the mitzvah of covering the blood. Kehilas Yaakov⁴ explains

(Insight...continued from page 1)

mal is sold, and it being the eve of the festival, it really should be prohibited for the seller to sell the second animal that day. And if it is sold, the sale should be considered fraudulent, as the buyer certainly would expect to be able to shecht his newly-acquired animal. Therefore, the seller might avoid this misleading sale by informing the buyer that the animal's mother or offspring was already sold. The buyer might then plan to be able to negotiate with and convince the first buyer to allow himself to shecht the second animal, or the second buyer might think that he might have a chance to work things out to his benefit. Rashi therefore comments that the actual warning of the seller to the buyer is that he not have unrealistic expectations, because the first animal might have already been shechted, in which case the situation is beyond hope for that day.

Ra"n writes in the name of Ramban that throughout the year a seller would not have to inform a buyer that he sold an animal's mother or offspring on that day, as there is no reason for him to assume that the first animal would be shechted that day. The buyer, though, always has to clarify this issue. ■

plains that regarding Mordechai's case he is unable to fulfill the mitzvah but if he wears the garment on Shabbos it will not prevent him from eventually fulfilling the mitzvah with that garment the following day. In contrast, if one does not slaughter the koy on Yom Tov he will be able to slaughter it after Yom Tov when he will also be able to fulfill the mitzvah of covering the blood. In such a case one may not put himself into a circumstance of ones if that will prevent the eventual fulfillment of the mitzvah with that object. ■

1. מרדכי מנחות פ"ד רמז תתקמ"ד.
2. עי' מ"ב סי' י"ג סק"ט.
3. רש"י ד"ה ואין
4. קהלת יעקב ב"ב סי' י'. ■

STORIES Off the Daf

Night Follows Day

"ובקדים לילה הולך אחר היום..."

Some poskim rule that one should eat the main meal of Purim by day. After all, the night after Purim surely has little significance. And if the night after Purim in a non-walled city—which is at least Shushan Purim—is not the main time to make the meal, in Yerushalayim this is even more pronounced. The same is true

regarding stretching out Shabbos during a third meal which begins just before sunset. On the surface these practices appear to have no halachic basis.

But when someone asked the Chidushei HaRim, zt"l, why the chassidim made the meal of Purim primarily after sunset, he immediately gave a compelling reply from today's daf. "In Chullin 83 we find that when it comes to offerings the day comes after the night. Purim celebrates the downfall—and execution—of the wicked. Our sages compare spilling the blood of the wicked who wish to

destroy us to bringing a sacrifice. Just as regarding a sacrifice the night follows the day, the same is true regarding Purim."¹

When someone asked the Otzar Hayirah, zt"l, why the third meal on Shabbos is primarily after Shabbos, he gave a different reply. "One of the mitzvos of Shabbos is to add part of the weekday to Shabbos, since we want to imbue our entire week with the sanctity of Shabbos. The third meal is a perfect opportunity to do just that!"² ■

1. שיח שרפי קודש
2. אוצר היראה, תשובת השנה, שבת ■