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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### **Broken Bone**

There once came to Abaye the case where the bone was broken and had protruded outside (*partially, for the skin covered a majority of it*), and a fragment of it had broken off. He postponed his ruling over three festivals (*in order to ask the scholars their opinion on the matter*). Rav Adda bar Masna said (*to the owner of the animal*): Go and present the case to Rava the son of Rav Yosef bar Chama, whose knife is sharp (*and he is capable to resolve it*). He took it to him and Rava said: Let us see what was taught in the *braisa*: if an animal’s bone broke and was exposed (*it is permitted if skin and flesh cover most of it*); what does it matter to me whether a portion had fallen away or it was all there? [*As long as it is covered by skin and flesh, it is permitted.*]

Ravina enquired of Rava: What is the law if the (*required amount of*) flesh was scattered (*around the fracture, but not contiguous*), or flattened, or had decomposed?

Rav Huna, the son of Rav Yehoshua explained that ‘decomposed’ refers to any flesh that a surgeon would scrape away (*in order to heal the animal*).

They inquired: What is the law if the flesh (*that covered the fracture*) was punctured, or had peeled off (*the bone*), or was split, or the bottom one-third layer (*of flesh close to the bone*) was removed?

The *Gemora* attempts to resolve the last inquiry from that which Ulla said in the name of Rabbi Yochanan: The skin is as good as the flesh (*and if skin alone can serve as a valid covering, certainly skin and two-thirds of the flesh should be a valid covering*).

The *Gemora* deflects the proof by saying that he might be referring to a case where the skin holds the bone (*in a place where there is no flesh*).

Rav Ashi said: When we were at Rav Pappi’s school, we inquired: What is the law if some of the flesh around the fracture was cut away in a circle like a ring? [*Since it is not connected to the rest of the flesh, it should not be regarded as it is covering the bone, or perhaps the missing flesh will be able to regenerate, so that the part covering the fracture will then connect to the remainder of the flesh, and this will allow the bone to heal?*] And we suggested that it may be resolved from the following teaching of Rav Yehudah in the name of Rav: I asked about this of scholars and veterinarians, and they said: One should make scratches around the edges of the flesh with a bone (*from another animal*) and it will then regenerate, but not with a metal instrument, for it will cause inflammation. Rav Pappa said: Provided the bone was firmly attached to the flesh. (77a)

### **Mishna**



If a person slaughtered an animal and found in it an amniotic sac, he who is not finicky may eat it. It does not contract *tumah*, either food *tumah* (*for most people do not eat it*) or the *tumah* of *neveilah* (*when the mother died without shechitah; this is because the sac is not regarded as part of the mother's flesh*). If one intended to eat it, it can contract food *tumah* but not the *tumah* of *neveilah*. If a partial amniotic sac came out of an animal (*before it was slaughtered*), the entire sac is unfit for consumption. This is because the sac is a sign of a fetus in a woman and it is similarly a sign of a fetus in an animal (*and we are concerned that the head of the fetus emerged from the animal*). If an animal, giving birth for the first time, miscarried an amniotic sac, it may be thrown to dogs (*for there exists a majority that this fetus is not sanctified, as will be explained in the Gemora*), but in the case of a consecrated animal, it must be buried. It may not be buried at a fork in the road or hung on a tree, for these are Amorite practices (*and we are prohibited to follow in their ways*). (77a)

### **Amniotic Sacs and the Fetus**

The *Gemora* cites a *braisa* which cites a verse, which proves that although it is permitted to eat an amniotic sac that was found in a slaughtered animal, one is prohibited from eating it if it partially emerged before the *shechitah*.

The *Gemora* asks: But since it is accepted that there can be no amniotic sac without a fetus, why then is any verse necessary (*to prohibit an amniotic sac that had emerged prior to the shechitah; it is regarded as a birth, and it cannot be permitted by its mother's shechitah*)?

The *Gemora* answers: The verse is merely a support.

The *Mishna* had stated: It does not contract *tumah*.

Rabbi Yitzchak bar Nafcha inquired: What is the *halachah* with regard to a donkey's hide (*which is very tough*) which was cooked extensively?

The *Gemora* clarifies the intent of the inquiry: It cannot be that the inquiry was with respect of food *tumah*, for we have learned it in a *braisa*, and it could not have been with respect of the *tumah* of *neveilah*, for we have also learned it in a *braisa*! As to food *tumah* it was taught as follows: The hide or an amniotic sac cannot contract food *tumah*; if the hide was cooked extensively or the amniotic sac was intended to be eaten, it can contract food *tumah*. As to the *tumah* of *neveilah* it was taught as follows: It is written: *its carcass*. One can contract *tumah* by touching its carcass, but not its hide, its bones, its sinews, its horns or its hooves. And Rabbah bar Rav Chana had said that the verse was only necessary (*to exclude these from tumah*) when they were stewed in a pot!

The *Gemora* therefore concludes that the inquiry was with respect of food *tumah*, but the law might be different in the case of a donkey's hide, since it is repulsive (*and therefore not regarded as food, even when cooked extensively*).

The *Mishna* had stated: If a partial amniotic sac came out of an animal (*before it was slaughtered, the entire sac is unfit for consumption*).

Rabbi Elozar said: The rule was only taught in the case where there was no fetus inside the womb, but where there was a fetus within, we are not concerned that it (*the sac*) contained another fetus (*and there were twins*,

*but rather, the unborn fetus was the one originally in this sac, and since the fetus did not emerge, the sac is permitted).*

Rabbi Yochanan said: Whether there was a fetus within or not, we are concerned that there was another fetus.

The *Gemora* asks: But this surely is not so, for Rabbi Yirmiyah has reported that Rabbi Elozar adopts a stricter view (*than R. Yochanan, and according to our version, R' Yochanan is the stricter one!*)?

The *Gemora* revises the disagreement: If it was stated, it was stated as follows: Rabbi Elozar said: The rule was only taught where the sac was not attached to the fetus, but where it was attached to the fetus (*that is still in the womb*), we are not concerned that there was another fetus (*in the sac and emerged beforehand, and therefore, the fetus is permitted*). Rabbi Yochanan said: We are guided by the principle that there can be no prohibition unless the amniotic sac has no fetus (*for then, there is a concern that the fetus' head emerged with the sac and dissolved*), but where it contained a fetus, whether it was attached to the fetus or not, we are not concerned that there was another fetus.

The *Gemora* notes that this now accords with that which Rabbi Yirmiyah said that Rabbi Elozar adopts a stricter view.

The *Gemora* cites a *braisa* in support of Rabbi Elozar's view: If a woman miscarries a fetus which resembled a domesticated animal, a wild animal or a bird, and there was an amniotic sac too; if the amniotic sac was attached to it, we are not concerned that there was another fetus, but if it was not attached to it, I must

impose upon this woman the stringency of two births, for I may suppose that the embryo of this amniotic sac dissolved, and perhaps the amniotic sac of this embryo (*that was born*) had also dissolved. [*A woman who miscarries a fetus containing a non-human creature is tahor if no blood issued from her womb (for then, she would be a niddah), for the bringing forth of these creatures is not regarded as a birth, in accordance with the view of the Rabbis. Now, here the ruling is that we impose two stringencies: 1. As if we know that there was another child in the amniotic sac that dissolved. 2. As if we know that the only child was the non-human one. Now, if the other child was a female, she is tamei for fourteen days (even without issuing any blood). Ordinarily, she would be tahor for the next sixty-six days – even if she experiences bleeding; here, we do not allow that leniency, for perhaps it was not a human after all.*]

The *Mishna* had stated: If an animal, giving birth for the first time, miscarried an amniotic sac, it may be thrown to dogs.

Rav Ikka the son of Rav Ami explains: The majority of animals give birth to something which is holy as a firstborn (*if it is a male*), whereas a minority of animals give birth to something which is not holy as a firstborn – such as a *nidmeh* – a form similar to an animal. Now, all those that give birth bear half males and half females. Add the minority of *nidmeh* (*which would not be sanctified as a bechor*) to the half females, with the result that the males constitute a minority. [*This is why, when it is unknown the nature of the child, we are not required to treat it as a bechor.*]

The *Mishna* had stated: but in the case of a consecrated animal, it must be buried.

The *Gemora* explains that this is because the majority of offsprings are fit to be consecrated (*for even a female is sanctified*). (77a – 77b)

### **Amorite Practices**

The *Mishna* had stated: It may not be buried at a fork in the road.

Abaye and Rava both say that if a practice has actual healing benefits, it is not forbidden for following the ways of the Amorites. If it does not have medicinal value, it is forbidden.

The *Gemora* questions this approach, since a *braisa* stated that a tree that sheds its fruit too early should be painted red and loaded with rocks. The fact that it should be loaded with rocks is understandable, since the tree is too strong (*it has too much energy, and that is why it sheds its fruit so quickly*), hanging rocks on it will sap its strength. But what benefit does painting the tree red give?

The *Gemora* answers that the tree should be painted red as a sign, so that others know that the owner of this tree is having difficulties. They will then pray for him to be more successful.

The *Gemora* then cites another *braisa*, which gives a different sign to tell the public that the tree sheds its fruits too quickly: one should hang clusters of dates on it.

This is as it has been taught in the following *braisa*: It is written: *And he shall call out, "Tamei, tamei."* We derive from this verse that the *metzora* should call out for the

sake of informing people of his misfortune and this way they will pity him and plead on his behalf for compassion.

Ravina said: According to whom is it that we hang a cluster of dates on a tree which sheds its fruit early? It is in accordance with the above *Tanna* (*for this way, people will become aware of his difficulties, and pray for him*). (77b – 78a)

## **DAILY MASHAL**

### ***To Rush in Prayer to Avoid a Loss***

Rabbi Yisrael of Salant zt"l once came to Warsaw and visited the Gerer Rebbe zt"l, author of *Chidushei HaRim*. The Rebbe honored him greatly and when they parted, he accompanied him to the street. The rumor soon spread among the Chasidim that a great man had come to town and a big crowd filled his home to greet him. Meanwhile, Rabbi Yisrael prayed *minchah* and to everyone's surprise, the "Lithuanian *tzadik*" finished quickly and was among the very first to end. When he saw them wondering, he remarked, "I saw that many people left their work because of me. The shoemaker left his tools, the tailor left his needle, the smith left his bellows and the merchant closed his shop. If I take a long time at prayer, I cause you all a financial loss" (*Hizaharu Bemamon Chavreichem*, 247).