



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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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

Fallen Bird

Rav Yehudah said in the name of Shmuel: Where a bird was thrown with force upon the surface of the water, it is sufficient if it swam the length of its body (*and it did not suffer a concussion of the limbs*). This is so, however, only if it swam upstream (*for then, the fish is moving on its own accord*), but if it swam downstream, it may be the current of the water which is carrying it along. If the waters were still (*like in a pond*), then it makes no difference (*which way it swims*). And if twigs were strewn upon the water and the bird overtook them, then it has obviously overtaken them (*by moving of its own accord*).

[*The Gemora will now list examples of objects that are stiff, hard or coarse, and therefore they can cause a concussion of the limbs. The Gemora will also list objects that are soft and slip away from each other; these do not cause a concussion of the limbs. Whenever we are concerned about this type of injury, we must wait twenty-four hours before slaughtering it.*]

- If a sheet was stretched taut (*across pegs in the ground, and a bird fell down upon it*), we are concerned for a concussion of the limbs (*for it is regarded as a hard surface*); if it was not stretched taut, we are not concerned. If the sheet was folded double (*even though it was stretched taut*), we are not concerned (*for it cannot be stretched tight enough as to cause injury to the bird*).
- If a bird flew into a closely knotted net, we are concerned for a concussion of the limbs; if, however, it was not closely knotted, we are not concerned.

- If a bird fell on tied bundles of flax, we are concerned for a concussion of the limbs. If it fell on the sides of the bundles, we are not concerned (*for the sides are not as stiff as the peak*).
- If it fell on bundles of reeds, we are concerned.
- If it fell on flax which was pounded and combed, we are not concerned (*for the flax is soft*). If it fell on flax which was pounded but not combed, we are concerned. If it fell on flax (*which was pounded and combed*) but it was tied into bundles, we are concerned because of the knots.
- If it fell on the shives (*coarse tow – waste material from the flax*), we are concerned; on fine tow, we are not concerned.
- If it fell on palm-bast, we are concerned; but on its strands, we are not concerned.
- If it fell on sifted ashes, we are concerned; but on unsifted ashes, we are not concerned.
- If it fell on fine sand, we are not concerned; on coarse sand, we are concerned.
- If it fell on dust of the road, we are concerned.
- If it fell on straw that was made into bale, we are concerned; on loose straw, we are not concerned.
- If it fell on wheat, or on similar (*hard*) grain (*such as rye*), we are concerned; on barley, or on similar grain (*that is soft*), we are not concerned.
- On all kinds of legumes (*which slide and are not compacted*), we are not concerned for a concussion of the limbs; on fenugreek, however, we are concerned.

- On peas (*which are round*), we are not concerned for a concussion of the limbs; on chick peas, however (*which are not completely round*), we are concerned.

This is the rule: On such things that slip away from each other, we are not concerned for a concussion of the limbs (*for the bird will also slip off of them*); on things which do not slip away from each other, we are concerned for a concussion of the limbs.

If a bird was glued to a board (*and then it toppled down when it attempted to fly away*), Rav Ashi permits it (for the bird will still try to soften its landing), and Ameimar forbids it.

The *Gemora* qualifies the dispute: If it was glued by one wing only, all agree that it is permitted (*for it can soften its fall with the flapping of one wing*). They disagree only where both wings were glued. He that forbids will reason that it cannot keep itself aloft (*upon impact with both of its wings disabled*)? He that permits it will say that it can keep aloft in the air by the movement of its stumps of the wings.

Others qualify it as follows: If it was glued by both wings, all agree that it is forbidden. They disagree only where it was glued by one wing only. He that permits it reasons that it can fly very well with one wing. He that forbids it will say that since it cannot fly with the 'glued' wing, it cannot fly with the free one as well.

The *Gemora* issues a ruling: If both wings were glued to the board, it is forbidden; if only one wing was glued, it is permitted. (51b – 52a)

Most of its Ribs

The *Mishna* had stated: if most of its ribs were broken, the animal is rendered a *tereifah*.

The *Gemora* cites a *braisa*: These combine to constitute 'most of its ribs': Six on one side and six on the other, or eleven on one side and one on the other side. [*There are*

twenty-two large ribs that contain marrow in them. If twelve are broken, that constitutes a majority.]

Zeiri added: It is rendered a *tereifah* if in each case, the fracture was in that half of the rib toward the spine.

Rabbah bar bar Chanah said in the name of Rabbi Yochanan: We are dealing only with the large ribs that possess marrow.

Ulla said that Ben Zakkai said that if most of the ribs on one side (*six ribs*) were uprooted (*from the spine*), the animal is rendered a *tereifah* (*even though it's only a majority of one side*). If the ribs are broken, it is rendered a *tereifah* only if a majority on both sides were broken (*twelve ribs*). Rabbi Yochanan said: Whether the ribs were uprooted or broken, the animal is rendered a *tereifah* only if most of the ribs on both sides were uprooted or broken.

Rav said: If a rib together with its vertebra was uprooted, the animal is a *tereifah* (*although the spinal cord remained intact*).

Rav Kahana and Rav Assi asked Rav: What is the law if the rib on each side of the vertebra was uprooted, but the vertebra remained intact?

He replied. Are you speaking of an animal that is cut in two? [*Such a case would be a neveilah – it would be regarded as 'dead,' and a shechitah will not remove its tumah status.*]

The *Gemora* asks: But isn't Rav's case (*where the rib and its vertebrae were uprooted*) as well a case of an animal that is essentially cut in two?

The *Gemora* answers: Rav was speaking of an uprooted rib without the vertebra.

The *Gemora* asks: But did he not explicitly say: A rib together with its vertebra?



The *Gemora* answers: He meant a case where a rib with part of its vertebra was uprooted (and therefore, the animal is not regarded as being 'cut in two,' and is therefore a *tereifah*, not a *neveilah*).

The *Gemora* asks: It follows then that Rav Kahana and Rav Assi were speaking of the case where the ribs (on each side of the vertebra) were uprooted, but the vertebra remained intact; and Rav replied to them that they are referring to an animal that is cut in two! Didn't Ulla say in the name of Ban Zakkai that if most of the ribs on one side (six ribs) were uprooted (from the spine), the animal is rendered a *tereifah* (even though it's only a majority of one side), and if the ribs are broken, it is rendered a *tereifah* only if a majority on both sides were broken (twelve ribs)? [Evidently, at least six ribs must be uprooted in order to render the animal a *tereifah*. Rav surely would not have said that where only two ribs were uprooted, the animal is regarded as a *neveilah*!?]

The *Gemora* answers that Rav will say that in Ulla's case, the ribs were not opposite each other, but in this case, the ribs were opposite each other.

The *Gemora* asks: But didn't Rabbi Yochanan say that (to be rendered a *tereifah*) most of the ribs on both sides must either be uprooted or broken? And in speaking of most of the ribs on both sides, it must be that at least one rib was uprooted opposite the other! [It is only a *tereifah* based upon the majority of the ribs being uprooted, but the fact that a pair of ribs opposite each other are uprooted does not render it a *tereifah*, and certainly not a *neveilah*!?]

The *Gemora* answers: In Rabbi Yochanan's case only the pestle (the rib) but not the mortar (the ball of the rib) was uprooted, but in Rav Kahana and Rav Assi's case, the pestle together with (part of) the mortar were uprooted.

The *Gemora* asks: But if so, isn't this case identical with Rav's first teaching? [Rav also was dealing with an uprooted rib plus part of its vertebra, and he ruled that it was a *tereifah*;

why then did Rav Kahana and Rav Assi enquire of Rav as to the case where two ribs and part of the vertebra were uprooted? That surely would be a *tereifah*!]

The *Gemora* answers: They did not hear of Rav's teaching.

The *Gemora* asks: Then why did they not ask him Rav's case itself (where one rib and its vertebra were uprooted)?

The *Gemora* answers: They thought as follows: Let us rather ask him one question which will provide us the answer to two. For if we were to ask him about the case where only one rib was uprooted, we would be pleased if he had answered that it was a *tereifah*, since certainly this same ruling would apply regarding the case where two ribs were uprooted; but had he answered us that it was permitted, we would still have been in doubt as to the law in the case of the two ribs.

The *Gemora* asks: But even now, when they asked him about the case where two ribs were uprooted, the same question can be asked; for only if he had answered that it was permitted would they have been pleased, since this same ruling would certainly apply to the case where only one rib was uprooted, but had he answered that it was *tereifah*, they would still have been in doubt as to law in the case of one rib?

The *Gemora* answers: They thought as follows: If in the case of one rib it would be a *tereifah*, he would have displayed anger towards them and would have replied as follows: Seeing that the case where only one rib was uprooted renders the animal a *tereifah*, can there be any question about two (and therefore they would have been pleased either way: if he said two is permitted, then certainly one is permitted, and if he would display anger regarding two, they would know that one is a *tereifah* as well).

The *Gemora* asks: But did they not actually ask him about the case of two ribs, and nevertheless, he did not display anger (so ultimately, their plan did not work)?

The *Gemora* answers: When he replied to them that they are speaking of an animal that is cut in two, that was an expression of anger (for Rav was saying that in the case of two ribs, the animal is a *neveilah*, and in a case of one rib, the animal is a *tereifah*). (52a)

Uprooted Rib

Rabbah the son of Rav Shila said in the name of Rav Masnah who said it in the name of Shmuel: If a rib was dislodged from its base, or if the greater part of the skull was crushed, or if the greater part of the flesh which covers most of the paunch was torn, it is a *tereifah*.

The *Gemora* asks: How can he rule that if a rib was dislodged from its base it is a *tereifah*? This is contradicted by the following *Mishna*: What is considered a deficiency of the spinal column (in regards to *tumah*)? Beis Shammai say: If two vertebrae were missing. Beis Hillel say: If only one was missing. And Rav Yehudah said in the name of Shmuel that their views are the same with regard to *tereifah*. [It emerges that Shmuel maintains that it is the removal of the vertebra that renders an animal a *tereifah*, not the removal of a rib!?!]

The *Gemora* answers: Here he is speaking of a case where the rib was uprooted but not the vertebra (and it is deemed to be a *tereifah*), and there he is speaking of a case where the vertebra was uprooted but not the rib (and it is deemed to be a *tereifah*).

The *Gemora* asks: It is well understood that we can find a case where the rib was uprooted without its vertebra, but how can we find a case that the vertebra was uprooted without the attached rib to be uprooted as well?

The *Gemora* answers: It can happen at the end of the flanks (where this vertebra does not have ribs).

Rav Oshaya asks that if this dispute is correctly recorded (to be referring to *tereifah* as well), this should be listed as an

exception, where Beis Shammai is lenient, and Beis Hillel is strict (since if it is missing one vertebra, Beis Hillel rules that it is a *tereifah*, and Beis Shammai maintains that it is not a *tereifah* until it is missing two vertebra)!? [Since it is not listed as an exception, it proves that the disagreement does not extend to *tereifah*!?!]

Rava answers that although this follows from their dispute, their original dispute was regarding *tumah*, and since Beis Shammai is strict regarding this original dispute, it is not listed as an exception. (52a – 52b)

DAILY MASHAL

In Rabbi Yochanan's case only the pestle (*the rib*) but not the mortar (*the ball of the rib*) was uprooted, but in Rav Kahana and Rav Assi's case, the pestle together with (*part of*) the mortar were uprooted.

The *Gemora* Kesuvos (49b) relates that Rav Chisda would tell people who came before him: "Turn over a mortar in public; let the father stand on top of it and say: "Even a raven wants its kin, and this person does not want his children!"

Maharal in *Nesivos Olam* explains that a person resembles a receptacle as he accepts many things including his children. This person, who refuses to support his children, is an inverted mortar, for he is not accepting that which nature mandates. It is completely unnatural and is if he is not a receptacle at all.