



### דף עא.

#### לרבות לילי יו"ט אחרון לשמחה

חג הסכת (Devarim 16:13, 14) states - you shall celebrate Succos for seven days..and you shall rejoice on your festival. One fulfills this mitzvah to rejoice on Yom Tov with the eating of the meat of a *korbon shelamim*.

The Gemara derives from the posuk (ibid. 16:16), והיית אך שמח - you shall be only joyous - that there is a mitzvah of *simcha* - to rejoice (by eating meat of a *shelamim*) not only during the seven days of Succos, but also on the night of Shemini Atzeres.

The Vilna Gaon<sup>1</sup> notes that as a general rule the term אך is restrictive. Generally the scriptural term אך comes to qualify and narrow a *halacha* that is mentioned in the posuk (see Rashi חלק ד"ה). Consequently, he questions why the Gemara broadens the obligation of *simcha* based on the posuk והיית אך שמח<sup>2</sup>.

The Vilna Gaon answers that here too, the term אך is understood as a restrictive term. The posuk teaches that there is an obligation of *simcha* on a festival day when the mitzvah of *simcha* is exclusive and is not accompanied by any other (special) mitzvah. During the first seven days of Succos the mitzvah of *simcha* is not exclusive for we are also obligated in the mitzvah of Succah and lulav. The Gemara deduces from the posuk והיית אך שמח that there is a mitzvah of *simcha* during Shemini Atzeres since that is a day on which the mitzvah of *simcha* is the sole mitzvah of the day.

### דף עב.

#### שמעת מינה עקירה בטעות הויא עקירה

• When Erev Pesach falls on Shabbos, the *korbon pesach* is offered on Shabbos. Even though slaughtering and offering a *korbon* involves various forbidden Shabbos labors, the mitzvah of *korbon pesach* overrides Shabbos.

• If one slaughters a type of *korbon* which is not permitted on Shabbos (such as a personal olah or *shelamim*), or if one slaughters an invalid *korbon pesach*, it is considered an act of Shabbos desecration and he is liable to a *chattos*.

• A *korbon pesach* which was slaughtered שלא לשמה - for the sake of another *korbon* (e.g., a *shelamim*) - is *posul*.

• Rabba (Menachos 49a) asserts that the *korbon pesach* is *posul* only if the slaughterer, despite being aware it was a *korbon pesach* slaughtered it for the sake of a *shelamim*. However, if the slaughterer thought it was actually a *shelamim*, his mistaken intent does not disqualify the *korbon pesach* (עקירה בטעות לא הויא עקירה - mistakenly changing a *korbon's* designation does not affect the validity of the *korbon*).

The Mishna says that if one slaughters a *korbon pesach* for the sake of a *shelamim* on Shabbos (when Erev Pesach falls on Shabbos), he is obligated to bring a *chattos* for his act of slaughtering a non-valid *korbon* on Shabbos.

The Gemara comments that the Mishna cannot be referring to a case in which the slaughterer thought the *korbon* was actually a *shelamim*, because according to Rabba such a *korbon pesach* is valid since it is an עקירה בטעות (mistaken intent

for another *korbon*) and there is no Shabbos violation.

The Rashash asks: Even if the *korbon pesach* is in fact valid (in the above cited case of one who honestly thought he was slaughtering a *shelamim*), the slaughterer should be obligated to bring a *chattos* to atone for his attempt to desecrate Shabbos (because he tried to offer a *shelamim* on Shabbos). The Rashash argues that this case is similar to a case discussed in Menachos 64a concerning one who goes fishing and casts a net in the sea on Shabbos. Then, in addition to catching fish he saves a drowning child in his net. Rava says that even though one is permitted to cast a net on Shabbos to save a child, this person is obligated to bring a *chattos* since he cast the net with the intent to catch fish and not in order to save the child. [Rava is of the opinion, בתר מחשבתי אזלין - "we go after the person's intent".]<sup>3</sup>

R' Shmuel Rozovsky suggests a distinction: In our Gemara, even though the slaughterer intended to sin, no *chattos* is warranted since in the end no sin was actually committed [because the *korbon* turned out to be a (valid) *pesach* and not a *shelamim*]. In contrast, in the case of the net, in addition to saving the child the individual succeeded in his sinful intent to catch fish and thus a *chattos* is warranted for his actual Shabbos violation.<sup>4</sup>

#### דף עג.

##### לדברי האומר מקלקל בחבורה פטור מה תיקון

• As learned above, when Erev Pesach falls on Shabbos the mitzvah to offer the *korbon pesach* overrides Shabbos.

The Mishna (71b) says that if the *korbon* is found to be invalid due to a blemish (which was overlooked by the slaughterer), the slaughterer is obligated to bring a *chattos* to atone for his inadvertent Shabbos violation (of slaughtering an invalid *korbon pesach* on Shabbos).

The Gemara in Shabbos 106a cites an opinion that maintains מקלקל בחבורה פטור - one is not guilty for slaughtering (or inflicting a wound) on Shabbos if it is done in a destructive manner. Accordingly, the Gemara (73a) asks why our

Mishna finds the slaughterer liable for slaughtering an invalid *korbon* on Shabbos. Since such an animal may not be eaten or offered on the *mizbeach*, its slaughter does not achieve anything constructive.

[In answer, the Gemara is compelled to say that the Mishna is referring to a specific category of blemishes, and the Tanna follows the view of R' Akiva who is of the opinion that the slaughter of such a *korbon* does indeed serve some constructive purpose (with respect to it being permitted to remain on the *mizbeach* once it was placed there, see Gemara, בדוקין שבעין...ואם עלו לא ירדו).]

The Gemara then raises a similar question on a braysoh which states that one who slaughters a *korbon chattos* on Shabbos outside the Bais Hamikdash for the sake of avodah zorah is in violation of three *chattos*-bearing sins: (a) slaughtering on Shabbos, (b) שחטי חוץ - slaughtering a *korbon* outside the Bais Hamikdash, and (c) avodah zorah.

The Gemara asks that slaughtering a *chattos* outside the Bais Hamikdash is מקלקל (a destructive act) because it invalidates the *korbon* and consequently such an act should not be considered a Shabbos violation.

The Gemara answers that even though such a *korbon* is *posul* and may not be eaten or offered on the *mizbeach*, the act of slaughtering still constitutes an improvement because it removes the status of אבר מן החי from the animal. Rashi explains that a non-Jew is commanded (under the penalty of death) not to eat אבר מן החי - a limb torn from a living animal - and by slaughtering the animal this *issur* is removed. Therefore, slaughtering a *korbon* outside the Bais Hamikdash is a Shabbos violation, because although it is essentially a destructive act, it has a constructive component.

The Tzlach raises two questions:

- (a) Since the *issur* of אבר מן החי pertains to Jews as well as non-Jews, why does Rashi focus specifically on a non-Jew's *issur* to eat אבר מן החי?<sup>5</sup>
- (b) Why didn't the Gemara present the same answer (מוציאו מידי אבר מן החי) in response to its first question regarding a blemished *korbon*

*pesach*. Instead of limiting the Mishna to a specific type of blemish (בדוקין שבעין וואליבא דר' עקיבא), the Gemara should have simply explained that the act of slaughtering a blemished *korbon* has a constructive component because it removes the *issur* of אבר מן החי.

In answer to both questions, the Tzlach invokes the principle of אין איסור חל על איסור - an *issur* cannot take effect on [an object that is already forbidden due to] a preexisting *issur*.

He explains that the improvement with respect to אבר מן החי does not pertain to a Yisrael because there was never an *issur* of אבר מן החי as far as a Yisrael is concerned. With respect to a Yisrael, the *issur* of אבר מן החי does not take effect on a sanctified animal since its meat is already forbidden to him due to a preexisting *issur* against eating *kodashim* (meat of *korbonos*). The *issur* of אבר מן החי could take effect on a *korbon* only with respect to non-Jews since the [preexisting] *issur* to eat *kodashim* does not apply to non-Jews. Therefore, Rashi explains the improvement (of removing the *issur* of אבר מן החי) specifically with regard to non-Jews.

*Korbon pesach* is different from other *korbonos* in this regard because the Torah states explicitly, וכל בן נכר לא יאכל בו - no stranger may eat from the *korbon pesach*. Since the meat of a *korbon pesach* is forbidden to non-Jews (see Al Hadaf above on דף ג), the subsequent *issur* of אבר מן החי does not take effect on a *korbon pesach* (even with respect to non-Jews) because אין איסור חל על איסור. Therefore, the Gemara did not use the same answer ("מוציאו מדי אבר מן החי") with regard to a blemished *korbon pesach*.

#### דף עד.

#### כיצד צולין את הפסח

The Torah (Sh'mos 12:19) says that the entire *korbon pesach* must be roasted over the fire with its head, innards and legs (צלי אש ראשו על כרעיו ועל). It may not be boiled or cooked. R' Yosi Haglili maintains that a spit is inserted through the animal and its legs and innards (which are removed after shechitah) are inserted inside the animal so that the entire *korbon* is roasted together.

R' Akiva disagrees, arguing that placing the legs and innards inside the animal is akin to cooking them, since they are not roasted directly over the fire. R' Akiva maintains that these parts should be hung on the spit separately from the rest of the animal, so that they are roasted directly over the fire.

In keeping with the general rule of הלכה כר' (the *halacha* follows R' Akiva when he disputes one of his contemporaries) the Rambam<sup>6</sup> rules in accordance with R' Akiva that the legs and innards of the *korbon pesach* are roasted on the spit outside the main body of the *korbon*.

Rashi in Sh'mos (12:9) interprets the posuk in accordance with R' Yosi Haglili, explaining that the legs and innards are placed inside the *korbon pesach* during the roasting. R' Eliyahu Mizrachi asks why Rashi does not explain the posuk in accordance with R' Akiva since the *halacha* generally follows R' Akiva's view.

In answer, the Boruch Ta'am<sup>7</sup> explains that the dispute between R' Akiva and R' Yosi Haglili in our Mishna is linked to a dispute between Rebbi and the Chachamim, mentioned on 41a. Rebbi derives from a posuk that not only is it forbidden to boil the meat of a *korbon pesach* in water and other liquids, it is even forbidden to roast it in a pot without any liquid (since it cooks in its own juices).

The Chachamim disagree and permit צלי קדר - roasting the meat of a *korbon pesach* in a pot - for they do not consider this as cooking (see Rashi ibid. ד"ה איכא בנייהו<sup>8</sup> and Tosfos צלי קדר).

The Boruch Ta'am explains that placing the legs and innards inside the *korbon pesach* is akin to צלי קדר since the body of the animal serves as a pot for them. R' Akiva forbids it because he follows Rebbi's view that roasting in a pot is considered cooking and is forbidden.<sup>9</sup> R' Yosi Haglili, on the other hand, agrees with the Chachamim who permit צלי קדר.

Since the *halacha* follows the majority view of the Chachamim with respect to the permissibility of צלי קדר, Rashi explains the posuk in accordance with R' Yosi Haglili who follows the Chachamim.<sup>10</sup>

## דף עה.

### אם אסכלא מנוקבת מותר

The Mishna (74a) says that the *korbon pesach* may not be roasted on an אסכלא (griddle). Since the *korbon's* meat cooks by means of the griddle's heat rather than by the flame of the fire it is not considered צלי אש - roasted by fire.

The Gemara (75a) explains that the Mishna only proscribes the use of an un-perforated griddle; however, roasting the *korbon pesach* on a perforated griddle is permitted since the meat is cooked directly by the fire.

- The Torah forbids the consumption of blood. However, roasted meat is permitted because the roasting draws out the blood (as mentioned in the Gemara on 74a,b).

The Tzlach<sup>11</sup> asserts that even though roasting meat on coals also draws out the blood (as one opinion on 74b maintains), the meat must be roasted in a manner which allows the blood to drain so that it flows away from the meat. However, one may not place the meat flush against the floor of the oven or on a flat un-perforated griddle because the blood will not have a place to flow and it will reenter the meat.

The Mishna indicates that roasting a *korbon pesach* on an un-perforated griddle is forbidden only because it lacks the requisite of צלי אש. The Tzlach asks, the Mishna should have forbade the use of a non-perforated griddle (even for non-*korbon pesach* meat) due to the fact that the blood cannot properly drain.<sup>12</sup>

The Tzlach answers that the Mishna is speaking of one who suspends the meat above the griddle, allowing its blood to drain. The Mishna teaches that a *korbon pesach* may not be roasted in this manner (even though the blood is able to drain) because the *pesach* must be roasted directly by the fire, not through another medium (i.e., the heat of the griddle).<sup>13</sup> [However, if the griddle is perforated, then it is considered צלי אש since the fire's heat passes through the griddle.]

The Ra'avad<sup>14</sup> also concludes that the Gemara is referring to a *korbon* that is suspended above the griddle, but for a different reason: He asserts that if the *korbon* is not suspended (over the perforated

griddle), then the portion touching the grates of the griddle will lack the requisite of צלי אש since that portion is cooked by the heat of the griddle. Thus, he concludes that the Gemara permits roasting a *pesach* on a perforated griddle only if the *korbon* is suspended above the griddle (such as by the means of a wooden spit).

## דף עו:

### ההיא ביניתא דאיטווא בהדי בישרא אסרה רב אשי למיכליה אפי' במילחא

Mar bar Rav Ashi says that one may not eat fish that was baked in an oven simultaneously with meat (even though they did not touch each other) because the fish invariably absorbs aroma emanating from the meat, and it is dangerous to one's health to eat fish that was cooked with meat.

The Ramoh<sup>15</sup> rules contrary to Mar bar Rav Ashi that such fish is permitted for consumption, because the *halacha* follows Levi who asserts ריחא היא לאו מילתא היא - aroma is not halachically significant (whereas Mar bar Rav Ashi follows Rav who says ריחא מילתא היא - see discussion in Gemara).

The Ramoh, however, permits such fish only *bedi'eved* (after the fact), but he agrees that *לכתחילה* (in the first place) one may not bake fish in an oven together with meat (because לכתחילה Levi does not permit baking meat in an oven with fish where they can absorb aroma from each other). Moreover, the Ramoh agrees that fish cooked in a pot together with meat is forbidden since such fish absorbs actual flavor from the meat.

The Shach,<sup>16</sup> citing the Be'er Sheva,<sup>17</sup> maintains that although regarding matters of *issur*, such as בשר בחלב (meat and milk), the *halacha* follows the lenient opinion of Levi that ריחא לאו מילתא היא (aroma is not significant), regarding meat and fish the *halacha* is more stringent because חמירא סכנתא - we are more stringent regarding matters of health than regarding *issurim*. [See Al Hadaf to Chullin י' דף for elaboration on this principle.] Since eating meat with fish is a question of danger to one's health, even the mixing of their aromas is forbidden.

The Maharshal<sup>18</sup> implies that due to this danger one may not even eat fish that was cooked in a

clean meat pot, because the fish absorbs a meat flavor from the walls of the pot.

The *Issur V'Hetter*,<sup>19</sup> however, maintains that it is only dangerous to eat fish with actual meat (בעין), but eating fish cooked in a clean meat pot does not pose a danger.<sup>20</sup> [The Tur<sup>21</sup> says that some meticulous individuals designate separate pots for fish and refrain from cooking fish in pots that were used for meat.]<sup>22</sup>

The Shulchan Aruch<sup>23</sup> writes that one must wash his hands and clean out his mouth between eating fish and eating meat. The Ramoh<sup>24</sup> maintains that this is not necessary. However, he concedes that it is a good idea to eat or drink something in between a fish dish and a meat dish.<sup>25</sup>

- The Magen Avraham<sup>26</sup> suggests that perhaps eating fish with meat is no longer dangerous today because נשתנו הטבעים - the nature and constitution of people and foods have changed over the course of history (as Tosfos says in Moad Katan 11a).<sup>27</sup>

- The Tiferes Tzvi<sup>28</sup> rules that when eating fish לכבוד שבת - in honor of Shabbos - one may even eat fish which absorbed flavor from meat because we need not worry that harm will befall one who is engaged in the fulfillment of a mitzvah (שומר מצוה) - לא ידע דבר רע - an observer of mitzvos knows no evil, Koheles 8:5).

The Divrei Malkiel<sup>29</sup> disagrees and maintains that the principle of לא ידע דבר רע must be applied with discretion and does not apply to all dangers. He argues that the rule of שומר מצוה וכו', does not apply to eating meat with fish because he says it is a natural cause of disease.<sup>30</sup>

#### דף עז.

#### ציץ, ר' יהודה אומר עודיהו על מצחו מרצה

If the blood of a *korbon* becomes *tamei*, it may not be thrown on the *mizbeach* and the *korbon* is disqualified. The Gemara says, however, that if the blood was (mistakenly) thrown on the *mizbeach*, the *zerikah* is valid (and the *korbon* is valid) by virtue of ריצוי ציץ - the *tzitz* (head-plate) of the Kohen Gadol has the power to atone for the sin of *tumah* (after the fact).

R' Shimon maintains that the mere existence of the *tzitz* atones for *tumah* whether or not the Kohen

Gadol is actually wearing the *tzitz*. R' Yehuda disagrees and maintains that the *tzitz* is empowered to atone for *tumah* only when it is actually on the Kohen Gadol's forehead.

Rashi (די"ה בין שיטנו) indicates that the ריצוי ציץ - atonement of the *tzitz* - takes effect at the time of the *tumah* occurrence. If the *tzitz* was on the Kohen Gadol's forehead when the blood became *tamei* and the blood was subsequently thrown on the *mizbeach*, the *korbon* is valid.

The Gevuras Ari (Yoma 7b) takes issue with Rashi and maintains that the key factor is wearing the *tzitz* at the time of zerikah. He argues that it is the act of throwing *tamei* blood on the *mizbeach* which requires the atonement of the *tzitz*, and therefore the *tzitz* must be on the Kohen Gadol's forehead at the time of *zerikah* (according to R' Yehuda who says ריצוי ציץ takes effect only when the *tzitz* is actually on the Kohen Gadol).

The Brisker Rav,<sup>31</sup> in explanation of Rashi's position, suggests that Rashi agrees with the Gevuras Ari that the atonement of the *tzitz* is critical at the time of the *zerikah*, and the *tzitz* must be on the Kohen Gadol's forehead at that time. Rashi means to say that it must also be on his head during the occurrence of the *tumah*, because the presence of the *tzitz* at that time prevents the blood from becoming utterly disqualified. It functions to repress the disqualification so that if the blood is subsequently thrown on the *mizbeach*, the *tzitz* will be able to provide acceptance.

#### דף עח.

#### אם אין בשר אין דם, ואם אין שיריים אין קומץ

A typical *korbon* consists of three parts: (a) דם - blood - which is thrown on the *mizbeach*, (b) אימורים - fats - which are burned on the *mizbeach*, and (c) בשר - meat - some of which is eaten by Kohanim and some by the owner.

A *korbon olah* consists only of two parts: (a) Blood which is thrown on the *mizbeach*, and (b) the rest of the animal which is burned in its entirety on the *mizbeach*.

A *korbon mincha* (meal offering) also consists of only two parts: The *kometz* (handful of flour which the Kohen scoops off) which is burned on

the *mizbeach*, and the שיריים (remainder of the *mincha*) which is eaten by Kohanim.

- The primary atonement of a *korbon* is effected by the *zerikah* (throwing of the blood).
- Prior to *zerikah*, the fats may not be burned on the *mizbeach* and the *korbon's* meat may not be eaten.
- Once *zerikah* is performed the *korbon* is deemed valid regardless of what happens afterwards with its *eimurim* and its meat.
- With regard to a *mincha*, the atonement is effected with the burning of the *kometz* (for this *avodah* corresponds to the *zerikah* of an animal *korbon*).

The *halacha* follows R' Yehoshua who asserts, אם אין בשר אין דם - if there is no meat or fats there is no blood. This means that a portion of the *eimurim* or meat must be in existence at the time of the *zerikah* (even though the subsequent burning of the *eimurim* and the eating of the meat are not essential to the validity of a *korbon*). If all the fats and meat of a *korbon* were destroyed before *zerikah*, the *zerikah* is not valid and the *korbon* is *posul*.

Although the Gemara indicates that the same *halacha* applies to a *mincha*, the Rambam<sup>32</sup> interestingly, seems to distinguish between the two. With regard to an animal *korbon* he rules in accordance with R' Yehoshua that *zerikah* performed on a *korbon* whose meat and fats were destroyed is not valid. However, with regard to a *mincha*, the Rambam writes that even if all of the שיריים were destroyed before the *kometz* was offered, the *mincha* is still valid (בדיעבד - after the fact).

The Ohr Somayach,<sup>33</sup> in explanation of the Rambam's position, suggests that the burning of the *kometz* serves a dual function. Firstly, it effects the atonement of the *korbon* - akin to *zerikah*. Secondly, it corresponds to the burning of the *eimurim* (of an animal *korbon*), since it too, is burned on the *mizbeach*.

The essence of the *halacha* of אם אין בשר אין דם is that the throwing of the blood (and the burning of the *kometz*) cannot effect atonement unless an "eating" portion of the *korbon* still exists

at the time. This refers to the meat (or שיריים) which is actually eaten, or the fats which are "eaten" (i.e., burned) by the fire of the *mizbeach*. Since the *kometz* is burned on the *mizbeach*, says the Ohr Somayach, it qualifies as an "eating" portion of the *korbon*, similar to the *eimurim* of an animal *korbon*. Therefore, the *mincha* is valid even if there are no שיריים in existence when the *kometz* is offered, because the existence of the *kometz* itself is sufficient.<sup>34</sup>

#### דף עט.

#### נטמא קהל או רובו או שהיו הכהנים טמאים

- If an individual does not offer the *korbon pesach* on the fourteenth of Nissan, he has the opportunity to offer it one month later on the fourteenth of Iyar (*Pesach sheni*, see Bamidbar 9:10).
- If the majority of Klal Yisrael are *tamei* (by means of corpse *tumah*<sup>35</sup>) then the mitzvah of *korbon pesach* overrides the *issur* of *tumah*. In this case, the members of Klal Yisrael who are *tamei* should not delay their *korbon pesach* until *Pesach sheni*; rather, they should offer the *korbon pesach* on the fourteenth of Nissan in their state of *tumah*. Likewise, the offering of communal *korbonos* which have a set time (such as the *korbon tamid* or the festival *korbonos*) override *tumah* and may be offered even in the state of *tumah*.

The *halacha*<sup>36</sup> follows the opinion (cited on 79a and on 77a) that טומאה דחונה בציבור - the *issur* of *tumah* is only *hesitantly* pushed aside for the sake of a *korbon tzibur* - when there is no other option available, but it is not הותרה - unconditionally lifted. Accordingly, if all the Kohanim of a particular day's Bais Av (designated group for the day's *avodah*) are *tamei*, Kohanim from another day's group are selected to offer the *korbon tamid* because we do not allow Kohanim to serve in a state of *tumah* unless there is no other option (Yoma 6b).<sup>37</sup> [Additionally, the Gemara on 77a says that since טומאה דחונה בציבור (rather than הותרה), the *issur* of *tumah* is overridden only in conjunction with ריצוי ציץ. See also, Rav Chisda's assertion in the Gemara here on 79a, and Gemara end of 80a.]

There are several differences between a *korbon pesach* that is offered in a state of *tumah* and other

communal *korbonos*:

(a) The Mishna (79a) says that if either the majority of the community became *tamei*, or if the Kohanim were *tamei*, the *korbon pesach* may be offered in a state of *tumah*. Many authorities<sup>38</sup> assert that the *tumah* of the majority of the community is an issue only regarding a *korbon pesach* since a *korbon pesach* must be offered (and eaten) by every member of Klal Yisrael. Therefore, if a majority of Klal Yisrael are *tamei*, the Torah permits the *korbon pesach* to be offered in a state of *tumah*. However, with regard to ordinary communal *korbonos* we are only concerned about the *tumah* of Kohanim. If the Kohanim are *tahor* the *korbon* must be offered in purity, even if the entire community of Yisraelim are *tamei*, since the Yisraelim are not required to handle or eat the *korbon tzibur*.

(b) The Mishna on 76b states that a *korbon tzibur* may not be eaten by a person who is *tamei*; it may only be offered (because the consumption of a *korbon* is not essential to the validity of the *korbon*). In contrast, a *korbon pesach* may even be eaten in a state of *tumah* (שמתחילתו לא בא אלא). לאכילה, see Rashi *ibid.*).

• The Sefas Emes (76b) writes that although a *korbon pesach* may be eaten in a state of *tumah* (when the majority of Klal Yisrael, or the Kohanim are *tamei*), a person who is *tamei* must limit his consumption to one *k'zayis* (olive's volume) of meat, since that is sufficient for the fulfillment of the mitzvah of פסח קרבן. Consequently, the Sefas Emes points out that when the community is *tamei* and the *pesach* is offered in a state of *tumah*, the people must precisely calculate the correct number of members for each *korbon pesach* group. The number of members must correspond exactly to the number of *k'zaysim* of meat estimated to be in the *korbon pesach*. This is necessary to ensure that the entire *korbon* will be eaten even though each person may eat only one *k'zayis*, for it is forbidden to leave over meat of a *korbon* (נותר).

#### דף פ.

היו ישראל מחצה טמאין ומחצה טהורין

The Mishna and Gemara on 79a says that if a

majority of the community is *tamei*, the *korbon pesach* is brought in the state of *tumah*. Even the *tahorim* may join with the *tomayim* and eat a *korbon pesach* that is *tamei* because אין קרבן ציבור - חלוק - we do not divide a communal offering [into separate groups]. The Chasam Sofer<sup>39</sup> suggests that this is based on the *halacha* of לא תתגודדו, לא תעשו, אגודות אגודות (Yevamos 14a) which mandates that a community act in unison and not splinter into separate groups (so as not to cause strife).

The Gemara cites a dispute regarding a case where exactly half of Klal Yisrael are *tamei* and half are *tahor*. The Tanna Kamma (end of 79b) says that those who are *tamei* are permitted to bring a *korbon pesach* in their state of *tumah*, but the *tahorim* may not mingle with them because the rule of אין קרבן ציבור חלוק only applies when the *tomayim* comprise more than 50% of the population.

R' Yehuda disagrees and is of the opinion that even if the *tomayim* comprise exactly 50% of the population, the rule of אין קרבן ציבור חלוק applies and the *tahorim* may join with the *tomayim* in such a case. [Moreover, R' Yehuda says that even if the members of a single shevet are *tamei*, the entire Klal Yisrael is permitted to offer the *korbon pesach* in a state of *tumah* because each shevet is viewed as an entire community. Therefore, such a case is viewed as though half of Klal Yisrael are *tamei*.]

Ulah says that if exactly half of the members of Klal Yisrael are *tamei* and one wishes to conform with the opinion of R' Yehuda and have the entire community mingle together (because of אין קרבן ציבור חלוק), but on the other hand one does not want to violate the words of the Tanna Kamma who says that there must be at least a majority of *tomayim* in order for the rule of אין קרבן ציבור חלוק to apply, then one of the *tahorim* should be sent out of Yerushalaim before noon on Erev Pesach (so as to exempt him from *korbon pesach*). Hence, the majority will be tilted in favor of the *tomayim* and the entire community can mingle with one another (even according to the Tanna Kamma). [The person who was sent away from Yerushalaim will discharge his *korbon pesach* obligation the following month on *Pesach sheni*.]

The Gemara asks; instead of sending one

person out of Yerushalaim, we should simply contaminate one person with a corpse thereby tilting the majority in favor of the *tomayim*? [Once the *tomayim* have the majority, then the rule of אין ציבור חלוק certainly applies and the entire community is permitted to mingle.]

The Gemara answers that we do not want to deprive anyone of the mitzvah of *korbon chagigah* (which is offered on the first day of Pesach, only by those who are *tahor*).

The Tzlach makes an interesting observation:

- The *halacha* follows the opinion (mentioned on 79b) that women are obligated in the mitzvah of *korbon pesach* and therefore they are counted when figuring the percentage of *tomayim* and *tahorim* in the community. As long as 50% of the entire population including women are *tamei*, the *korbon pesach* may be offered in *tumah*, even if less than 50% of the males are *tamei*.

- The Tzlach also notes women are exempt from bringing a *korbon chagigah*.<sup>40</sup>

Consequently, he points out that if the group of *tahorim* includes some women it would not be necessary to send anyone out of Yerushalaim. Contaminating one of the women in the group (to tilt the majority to the *tomayim*) should be a viable option because women are not obligated to offer a *chagigah*.<sup>41</sup>

#### דף פא.

#### התהום כהן המרצה בתמיד הותרה לו טומאת

The Mishna on 80b states that if a person offered a *korbon pesach* and then finds out that he was *tamei* due to *טומאת התהום* (doubtful or unknown *tumah*), the *tzitz* provides ריצוי (acceptance) and the *korbon pesach* is valid (see above עז דף). This ruling is based on a *halacha l'Moshe mi'Sinai* (oral law handed down to Moshe Rabbeinu at Mount Sinai) which teaches that if a person became contaminated by a concealed and unknown source of *tumah* (e.g., he walked over a concealed corpse which was heretofore unknown to anyone) and before finding out about the *tumah* he offered a *korbon pesach*, [the *tzitz* is מרצה and] the *korbon* is valid.

The *halacha*<sup>42</sup> follows the opinion that applies the *halacha* of *טומאת התהום*, not only to a case

where the owner of the *korbon* was found to be *tamei*, but even to a case where the Kohen who performed the *zerikah* was found to be *tamei* due to an unknown *tumah*.

Even though the *tzitz* effects atonement for any type of *tamei korbon*, even for ordinary *tumah* which is not *טומאת התהום*, there are several leniencies in the case of *טומאת התהום*.

(a) The *tzitz* effects atonement only for *tumah* of the blood. However, if the owner (of the *korbon pesach*) or if the Kohen was discovered to have been *tamei* (due to ordinary *tumah*, not *טומאת התהום*), the *korbon* is *posul* despite the existence of the *tzitz* (and the owner is obligated to bring a *pesach sheni* on the fourteenth of Iyar).

However, if the owner or the Kohen was discovered to have been *tamei* due to *טומאת התהום*, then the *korbon pesach* is valid (based on the special *halacha* of *טומאת התהום*).

(b) If prior to the *zerikah*, the Kohen discovers that he or the blood is *tamei* he may not proceed with the *zerikah*. Ravina (80b) says that if the Kohen deliberately proceeds with the *zerikah*, knowing that he or the blood is *tamei*, the *tzitz* does not provide acceptance, and the *korbon* is *posul*.

The Gemara on 81b says this *halacha* applies only to ordinary *tumah*. However, if the Kohen is notified about *טומאת התהום* prior to *zerikah*, he is permitted to proceed with the *zerikah* even though he is aware that he or the blood is *tamei* (Rashi).<sup>43</sup>

[The Rambam<sup>44</sup> indicates, contrary to Rashi, that if the *טומאת התהום* is discovered prior to the *zerikah*, the Kohen may not perform the *zerikah* לכתחילה. The Gemara only means that such a *zerikah* is valid *bedi'eved* - after the fact. In contrast, if the Kohen was notified that he, the blood, or the owner was *tamei* due to an ordinary *tumah*, and he, nevertheless, proceeds with the *zerikah*, the *zerikah* would be *posul* even after the fact, as above.]<sup>45</sup>

#### דף פב.

#### הפסח שיצא ישרף מיד

The Mishna states that if the meat of the *korbon pesach* becomes *posul* due to contact with *tumah* or due to *יוצא* (being removed from its assigned boundary), there is a mitzvah to burn it



immediately. However, if the *korbon* becomes *posul* due to a disqualification in the owner (e.g., the owner became *tamei*), the meat may not be burned immediately. Rather, the meat is left overnight so that it becomes disqualified due to *נטר* (which is the disqualification of sanctified meat being left overnight past the time allotted for consumption) and then it is burned. This is because we do not burn the meat of a disqualified *korbon* unless a *p'sul* occurs with the meat itself (see Gemara 82b, *זה הכלל כל שפסולו בגופו ישרף מיד*).

Rashi explains that *yotzai* means that the meat of the *korbon pesach* was taken out of the city of Yerushalaim on Erev Pesach, and the Mishna requires that it be burned immediately, on Erev Pesach. If the meat is removed from Yerushalaim on the night of Pesach, it is not burned until the 16<sup>th</sup> of Nissan (the second day of Pesach) because the Mishna says on 83a that disqualified *kodashim* may not be burned on Yom Tov (see next daf).

The Rambam<sup>46</sup> explains that the Mishna is not referring to meat that was removed from the city of Yerushalaim (which is the boundary for the meat of all *kodshai kalim*). Rather it is referring to meat of a *korbon pesach* that leaves the house of the *chabura* (group which joined together to eat the *korbon*). [The *issur* to take meat out of the house of the *chabura* on the night of Pesach is derived from Sh'mos 12:46, *לא תוציא מן הבית* - do not take (the *korbon pesach*) outside the house, see beginning of 85b.] The Rambam says that if meat is removed from the house of the *chabura*, it is *posul* and must be immediately burned.

The Tiferes Yisrael<sup>47</sup> rejects the Rambam's interpretation of the Mishna because the *p'sul* of *לא תוציא* is not relevant until the night of Pesach - at the time when the *korbon pesach* is eaten. How can the Rambam say that meat that leaves the *chabura* must be burned immediately (on the first night of Pesach) when the Mishna on 83a says it is forbidden to burn *קדשים פסולים* (disqualified *korbon* meat) on Yom Tov?

In answer, the D'var Shmuel, suggests that although the Mishna forbids burning *nossar* on Yom Tov, it is permitted to burn disqualified *kodashim* when necessary to prevent an *issur*.

Perhaps the Rambam permits burning meat that was removed from the house of the *chabura* on the night of *pesach* so as to prevent a violation of *לא תותירו ממנו עד בוקר* - do not leave the meat of the *korbon* over until morning.<sup>48</sup>

[Note: Although some authorities maintain that the *issur* of *לא תותירו* does not apply to disqualified *kodashim* (e.g., meat that is already *posul* due to *yotzai*), the D'var Shmuel states his answer is based on the Tzlach (28a) who postulates that the *p'sul* of *לא תותירו* takes effect even on meat that is already *posul*.<sup>49</sup>]

#### דף פג.

#### העצמות והגידין והנותר ישרפו בששה עשר

The Mishna says that the bones, the sinews and *nossar* - leftover meat - of the *korbon pesach* must be burned on the sixteenth of Nissan (*chol hamoed*). They may not be burned on the morning of the fifteenth of Nissan (i.e., the first day of Pesach) because a fire may not be kindled on Yom Tov for the sake of burning *nossar*.

The Gemara explains that the bones and sinews referred to by the Mishna are items which cannot be eaten and unavoidably become *nossar*, whereas the term *nossar* in the Mishna refers to edible meat of the *korbon* which was left over due to negligence.

The Gemara explains that the Mishna only requires the burning of bones which contain marrow because the marrow is edible and is therefore subject to the disqualification of *nossar*. [The marrow cannot be removed and eaten with the rest of the *korbon* because the Torah forbids breaking the bones of the *pesach* as the posuk states, *ועצם לא תשברו בו* (Sh'mos 12:46).] However, bones which have no edible content (i.e., they do not contain marrow) need not be burned, because the inedible parts of the *korbon* are not subject to *nossar*.

The Ohr Zaruah<sup>50</sup> deduces from this Gemara that vessels made from bones do not have the capacity to absorb flavor from foods cooked in them. We learned above that the *korbon pesach* is roasted whole over a fire. If bones have the capacity to absorb, then even the marrow-less bones should require burning due to the meat of the

*korbon* absorbed in the bones during roasting. The fact that the Gemara says marrow-less bones do not become *nossar*, even though they are roasted together with the meat of the *korbon*, indicates that bone vessels do not absorb flavor. He rules accordingly that it is permitted to cook meat in a (clean) bone vessel that was previously used for cooking milk.

The Shoel U'meishiv<sup>51</sup> disagrees and maintains that the walls of bone vessels do indeed absorb flavor. The reason the Gemara exempts the marrow-less bones of the *korbon* from burning is that the bones presumably absorb less than a *k'zayis* of meat,<sup>52</sup> and *nossar* meat is not subject to burning unless it is at least a *k'zayis*.<sup>53</sup>

#### דף פד.

##### הוא לבדו, ולא מילה שלא בזמנה

The posuk, Sh'mos 12:16 states אך אשר יאכל *only melacha* (labor) that is needed for eating purposes may be performed [on Yom Tov]. Rava deduces from the word לבדו that although certain melachos may be performed on Yom Tov it is forbidden to perform circumcision after the eighth day. [Only a *bris* that is performed on an infant's eighth day may be performed on Yom Tov (and Shabbos).]

The Rambam<sup>54</sup> writes that Moshe Rabbeinu circumcised all the members of Klal Yisrael before they left Mitzraim. The Chasam Sofer<sup>55</sup> takes this to mean that they were circumcised on the same night that they left Mitzraim, the 15<sup>th</sup> of Nissan.<sup>56</sup>

The Chasam Sofer explains that even though it was Yom Tov (the first night of Pesach), Moshe was permitted to perform the circumcisions based on the following Midrash. The Midrash<sup>57</sup> relates that on the night that B'nai Yisrael left Mitzraim they smelled an aroma from *Gan Eden* which gave them a strong craving for the meat of the *korbon pesach*. When they approached Moshe Rabbeinu he explained to them that the *korbon pesach* is permitted only to those who are circumcised. Consequently, all of B'nai Yisrael had themselves circumcised so that they could partake of the *korbon pesach* that they so craved.

The Chasam Sofer explains that since the circumcision was performed for the sake of satisfying their strong appetite (induced by the aroma from *Gan Eden*), their *brisim* fell under the category of אוכל נפש - food preparation - and was therefore permitted on Yom Tov.<sup>58</sup>

The Chasam Sofer explains that this p'shat is alluded to by the fact that the posuk הוא לבדו is stated specifically in the passage dealing with the festival of Pesach and *yetzias Mitzraim*. The posuk teaches that even though in Mitzraim Moshe performed post-eight-day *brisim* on Yom Tov, only those *brisim* at that time were permitted (because they were considered necessary for אוכל נפש), but not other post-eight-day *brisim*.

#### דף פה.

##### בעצם שיש בו מוח יבא עשה וידחה לא תעשה

• The principle of עשה דוחה לא תעשה states that when there is a conflict between the observance of a מצות עשה - positive commandment - and the violation of a מצות לא תעשה - negative commandment (*issur*) - the מצות עשה takes precedence and overrides the *issur* (Yevamos 5b).

The Torah forbids breaking the bones of the *korbon pesach* (ועצם לא תשברו בו, Sh'mos 12:46), and as we learned above it is even forbidden to break the bones for the sake of eating their marrow.

The Gemara comments that based on the rule of עשה דוחה לא תעשה it should be permitted to break the bones which contain marrow, because the positive mitzvah to eat the meat of the *korbon pesach* (ואכלו את הבשר, Sh'mos 12:8) should override the *issur* of לא תשברו (do not break the bones of the *pesach*).

The Gemara explains that the Torah's repetition of the *issur* to break the bones of the *korbon pesach* (Bamidbar 9:12, in the passage regarding *pesach sheni*) teaches that it is forbidden even for the sake of removing their marrow and fulfilling the mitzvah of eating the *korbon pesach*.

The Sha'agas Aryeh<sup>59</sup> deduces from the Gemara's question that the mitzvah of ואכלו את הבשר (eat the meat of the *korbon pesach*) obligates a person to eat as much meat of the *korbon* as possible, until the *korbon* is finished. He argues

that if one fulfills the mitzvah by eating a single *k'zayis* there would be no mitzvah for one to eat the marrow inside the bones, for one would be able to discharge his mitzvah by eating any piece of meat. The fact that the Gemara suggests that (if not for the extra *posuk*) one would be permitted to break bones of the *pesach* for the sake of the mitzvah of eating the marrow, it is apparent that one is obligated to eat the entire *korbon*.

The *Minchas Chinuch*<sup>60</sup> disagrees and maintains that one discharges his obligation (of *ואכלו את הבשר*) by eating one *k'zayis* of meat, and indeed, there are no grounds to suggest that one who has already eaten a *k'zayis* should break a bone in order to eat more meat. The *Minchas Chinuch* suggests that the Gemara is addressing a specific case in which there was not sufficient meat in the *korbon* to provide a *k'zayis* for everyone in the *chabura* (group). The Gemara derives from the extra *posuk* that even in such a case one may not break a bone for the sake of its marrow even though the marrow is needed to complete a *k'zayis* with which to fulfill the mitzvah of *korbon pesach*.<sup>61</sup>

#### דף פי.

#### אכלי בארעה ואמרי באיגרא

1] Rav said in the name of Rav Chiya that on the night of Pesach the people in Yerushalaim would recite *hallel* on their rooftops, and due to the loud singing it would appear as though the roof was breaking.

The Gemara cites Rav who said (elsewhere) that only the ground floor of the houses of Yerushalaim contained the necessary *kedusha* (sanctity) for the eating of *korbonos*; it was not permitted to eat *korbonos* on the roof tops or on the upper stories of the houses. The Gemara thus explains that the eating of the *korbon pesach* took place downstairs inside the houses, and only afterwards did the people ascend to the roofs for *hallel*.

The Baal Hama'or<sup>62</sup> explains that the houses were generally very crowded due to the multitudes of pilgrims that would gather in Yerushalaim for the festivals. Therefore, after eating the *korbon*

*pesach* the people would ascend to the spacious rooftops for *hallel*.

The Mishna in Avos 5:5 says that one of the miracles that occurred during the times of the Bais Hamikdash was that despite the crowded conditions in Yerushalaim (especially during the festivals), *לא אמר אדם לחברו צר לי המקום* - no one ever said that they felt cramped. The She'arim Metzuyanim B'*halacha* notes that this Mishna seems to contradict the Baal Hama'or who says that the people would have to ascend to their rooftops after eating the *korbon pesach* because of the crowded conditions in the houses.

In answer, he cites the Chasam Sofer<sup>63</sup> who explains that truthfully speaking, there were very crowded conditions in Yerushalaim during the festivals. The miracle was that *לא "אמר" אדם צר לי המקום* - no one complained about the crowding (because they were so excited about being in Yerushalaim, in Hashem's presence). Therefore, to suggest that they went up to the roof for *hallel* to alleviate the crowding does not contradict the Mishna in Avos.<sup>64</sup>

2] There is a widespread custom to open the door at the Pesach seder after *bircas hamazon*, before the recital of *שפוך חמתך*. The Ramoh<sup>65</sup> explains that the opening of the door signifies our belief in the fact that the night of Pesach is a *ליל שימורים* - night of protection. At this point we pray to Hashem, *שפוך חמתך על הגוים וכו'*, (pour Your wrath on the evil nations who oppress us) in the hope that in the merit of our faith we should witness the coming of Mashiach and the ultimate redemption.

Alternatively, Horav Yosef Salant<sup>66</sup> suggests that the custom of opening the door is based on our Gemara. He explains that in the times of the Bais Hamikdash it was customary to bolt the door when the *korbon pesach* was being eaten to prevent someone from inadvertently carrying some meat outside (for as we learned above, taking the meat out of the house is forbidden and renders it *posul*). After *bircas hamazon*, when the eating of the *korbon* was completed, they opened the doors so that everyone could ascend to the roof for the recital of *hallel*, as we learn in our Gemara. Horav

Yosef Salant suggests that it is in commemoration of that practice that we open our doors after *bircas hamazon*.

דף פז:

### לא הגלה הקב"ה את ישראל בין האומות אלא כדי שיתוספו עליהם גרים

1] R' Elazar says that Hashem punished B'nai Yisrael for their sins by sending them into exile, rather than punish them some other way so that [they should influence the nations of the world and] converts - should join the ranks of B'nai Yisrael.

The Chasam Sofer (citing the Hafloah<sup>67</sup>) explains that when B'nai Yisrael sinned, they caused various ניצוצות (sparks) of kedusha (from Eretz Yisrael) to scatter throughout the world. These holy sparks leave their imprint on righteous gentiles in various lands. Hashem therefore scattered B'nai Yisrael throughout the world so that these righteous gentiles will have the opportunity to convert to Judaism and the lost ניצוצות will return to their source. Klal Yisrael will merit redemption when all the scattered ניצוצות are gathered and restored to Klal Yisrael.

### 2] לוחות נשברו ואותיות פורחות

When Moshe Rabbeinu descended from Heaven and witnessed B'nai Yisrael sinning with the *eigel* (golden calf), he threw down the *luchos* (tablets with the ten commandments), smashing them in his anger. When recounting this incident Moshe said, ואשברם לעיניכם - and I broke them

before your eyes (Devarim 9:17) - from which the Gemara deduces that only the Tablets themselves were smashed, but the holy letters that were written on them ascended heavenward intact.

Rashi explains that the term, לעיניכם (before your eyes) implies that the nation witnessed an astonishing phenomenon, one which everyone stared at [with their eyes]. The Maharsha explains that this is derived from the posuk's use of the term לעיניכם - [I broke them] before your eyes, rather than לפניכם - before you.

[The Maharsha points out that seeing the letters fly heavenward was doubly astounding because the letters were hollow and intangible (in that they were chiseled through the entire thickness of the *luchos*).]

Alternatively, the Tzlach explains that the term לעיניכם - before your eyes - implies that to B'nai Yisrael it appeared as though the *luchos* were broken, but in reality they weren't - since the essence of the *luchos*, namely, their writing, ascended to heaven intact.

Interestingly, the Tzlach suggests that the original letters which rose to heaven were eventually used by Hashem for the inscription of the second pair of *luchos* as implied by the posuk (Sh'mos 34:1), וכתבתי על הלוחות את הדברים אשר היו - and I will write on the [second] *luchos* the words that were written on the first *luchos*. [If new letters were used the posuk would have used the term כדברים ("like the words etc.") rather than את הדברים ("the words").<sup>68</sup> ■

ולכאוי כן צ"ל לשיטת תוס' דס"ל דצלי קדר אסור לכו"ע, ומבאר שם דר"ע לא קאמר אלא דנראה כמבשל ואינו אסור אלא מדרבנן, ומבאר דלפ"י מיושב קשיית הרא"ם דאע"ג דקיי"ל כר"ע מ"מ מן התורה כו"ע מודה דמותר לצלות קרבו וכרעו בתוכו כיון דמן התורה חשוב כצלי (וע"ע משי"כ הצ"ח כאן ריש פירקין לישב פי רש"י).  
דף ע"א (11) לעיל ריש דף עד.  
12) וע"ש בד"ה ואמרת דמצדד דאולי עסקינן בקרבן פסח שכבר מלחו ולכך ליכא חשש אכילת דם, אולם מצדד שם דאסור למלוח קרבן פסח קודם צלייתו משום דמליח הוי כרותח וא"כ הוי כצלי מחמת דבר אחר (ומעורר דזהו שלא כדמבאר בתוס' שם ד"ה כבולעו), וע"ע משי"כ בזה השפ"א שם.  
13) עיין בשפת אמת כאן ריש דף ע"ה.  
14) פרק ח' מהל' קרבן פסח הלכה ט' (וע"ש בכ"ס שר"ל שזהו ג"כ דעת הרמב"ם).  
דף ע"ו (15) יו"ד סימן קט"ז ס"ב (ע"ש בביאור הגר"א סק"ג).  
16) שם סק"א.  
17) שו"ת באר שבע סימן ל"ה, וחולק שם על המהרש"ל (מובא בש"ד) דס"ל להיפך ומתיר לצלותן בתנור אחד אפי' לכתחילה.  
18) ים של שלמה עמ"ס חולין דף קי"א סוף סימן ט"ו כתב דהגמ" שם נקט דגים שעלו בקערה של בשר לדוגמא בעלמא ולא דוקא הוא דסכנה לאכול בשר עם דגים, ומדייק המנחת יעקב כלל נ"ז מדברי המהרש"ל דאסור לאכול דגים שעלו בקערה של בשר משום דחיישינן אפי' לפליטת כלים, וכן פסק שו"ת

### דף ע"א

1) מובא בדבר שמואל כאן.  
2) אולם בסוגיא וברש"י כאן מבואר דילפינן ליל יו"ט אחרון משום דהוי קרא יתירא, ו"אד"י בא למעט ליל יו"ט הראשון (הקושיא צ"ב).  
דף ע"ב  
3) לקושטא דמילתא י"ל דהגמ" כאן הקשה על רבה לשיטתו דפליג ארבה שם במנחות, והערות הרש"י אינו אלא לרווחא דמילתא להגדיל תורה ולהאדירה.  
4) ע' בשיעורי ר"ש רוזבסקי כאן דלמסקנא חוזר מתירוץ זה ומתירץ באופן אחר, וע"ע מה שכי' הרש"י.  
דף ע"ג (5) ע' פלתי סימן ס"ב ריש סק"ב משי"כ לתרץ.  
דף ע"ד  
6) הלכות קרבן פסח פ"ח ה"י.  
7) הגי' ברוך טעם על הצ"ח כאן (דפוס מכון ירושלים, תשנ"ה).  
8) כתב הברוך טעם דרש"י לשיטתו דס"ל לעיל בדף מא. דלדעת חכמים צלי קדר מותר לכתחילה (ותוס' שם חולק וס"ל דלכו"ע אסור לכתחילה ולא פליגי אלא לענין אי לוקין עליו).  
9) והביא הברוך טעם שכן מבואר בירושלמי בפרק כל שעה דר"ע ס"ל כרבי דצלי קדר אסור.  
10) וע' בשפ"א כאן שמבאר דבאמת אינו דומה לצלי קדר משום דתוך הבהמה אינו דומה ממש לקדירה משום דמשקין מידב דייב דרך בית השחיטה

מקור ברוך סימן ח' (אולם ע' ט"ז סימן צ"ה סק"ג ופרמ"ג שם מש"כ בדברי מהרש"ל).

19) כלל ל"ט, מובא בטי"ז סימן קט"ז וביסמין צ"ה סק"ג (ע' פרמ"ג).  
20) וכתב ר' שלמה קלוגר בשו"ת האלף לך שלמה או"ח סימן שי"ב ושי"ג שמנחה העולם להקל אפי' לכתחילה לבשל דגים בכלי שבשלו בו בשר (וכ"כ בספר שמירת הגוף והנפש סימן א' ס"ט בשם עוד הרבה פוסקים, הלא הם הדלתי תשובה סימן צ"ה סק"ה ושו"ת חינוך בית יהודה יו"ד סימן ס"א ושו"ת חוט השני סימן ט"ז, ועוד).

21) יו"ד סימן קט"ז.  
22) ובאמת גם האיסור והיתר מסיים דלכתחילה יזהר בזה, ובשלחן ח' סימן א' סעיף ז', כתב בזה להחמיר (וע' בדלתי תשובה הני"ל דמחמיר עכ"פ כשיש בו דבר חריף כגון חומץ חזק).

23) יו"ד סימן קט"ז סעיף ג', וכן בשו"ע או"ח סימן קע"ג ס"ב, ובפרי תואר שם ביו"ד סק"ד כתב שכן נוהגין.

24) שם ביו"ד, וכ"כ השער הציון שם באו"ח סק"ב (ומשמע ברמ"א דמעיקר הדין ליכא סכנה אפי"כ מבשלם ביחד, אבל אם רק אוכלן ביחד לית לן בה).

25) וע' ח"י רע"א על שו"ע שם ביו"ד ס"ה שכי' (ע"פ תוס' במד"ק י"א. ד"ה כורא) דסכנת השתות מים אחר מצרף משום סכנה, וכ"כ בערוה"ש שם ס"י, (אולם בבן איש חי ש"ב פ"ר פנחס אות ח' כתב וז"ל - טוב לשתות מים או שאר משקה ביתיים וכו' עכ"ל, מבוואר שלא חש לזה), וע' בכס"מ בהל' דעות פ"ד ה"ל י"ח שכי' דתלוי לפי טבע הארצות.

26) או"ח סימן קע"ג סק"א, מובא שם במשנ"ב סק"ג.  
27) וע"ע בשו"ת באר שבע סימן ל"ה שמצדד דלא קאמר מר בר רב אשי אלא שיש סכנה בדג ששמו "ביניתיא" ולא בכל הדגים.

28) שו"ת תפארת צבי סימן צ"א (מובא בספר שמירת הגוף והנפש ס"א ס"ו, והביא שם שום היתוונות יעקב מצרף הכלל דשומר מצוה לא ידע דבר רע לסניף להתיר), וס"ל דבשר ודגים אינו סכנה טבעית.

29) ח"י סימן נ"ג.

30) וע' ט"ז סימן קט"ז סק"ב שהביא בשם הדרכי משה ומהרש"ל שדבר שאסור משום סכנה כגון דג עם בשר אינו בטל בששים דחמירא סכנתא מאיסורא וע"ש בפת"ת סק"ג שהרבה חולקין וס"ל דמהני ביטול בששים.

**דף עז**  
31) כתבי הגרי"ז (חלק ג') על מסכת נזיר עמוד ק"פ אות מ' (ובדפוס חדש הוא בניו סוף דף נד.), ע"ש.

**דף עח**  
32) בפרק א' מהל' פסוה"מ ה"ל ל"ד פסק הרמב"ם דאם אין בשר אין דם, ואפי' בדיעבד אם זרק לא הורצה, ובפרק י"א שם ה"ל כ' פסק לענין מנחה דאי ליכא משום סכנה ודבר הקומץ בדיעבד הורצה.

33) פ"ג מהל' מעילה סוף ה"ג.

34) ע"ע באחיעזר סימן מ"א סק"ט, ובקהלות יעקב כאן סימן נ"ב (וע"ש בד"ה כ"ז דמסיק דמ"מ דברי הרמב"ם תמוהין דאיך יפסוק נגד מה דמפורש בסוגיין דשוין זבחים ומנחות בד"ן זה, וע"ש מה שהביא בשם החזו"א דמשנה הגירסא בדברי הרמב"ם).

**דף עט**  
35) ע' רמב"ם ר"פ מהל' קרי"פ ובלח"מ שם.  
36) ע' רמב"ם ה"ל ביאת מקדש פ"ד ה"ל ט"ז וט"ז.

37) מלשון המשנה משמע דבטומאת כהנים בעינן שיהו כולן טמאין ולא סגי ברובן, אולם ע' רמב"ם פ"ד מביא"מ הלכה י"ד, וע' רדב"ז ור"י קורקס שם, וע' רש"י בתמורה סוף י"ד ובגבורת ארי שעמד בזה, וע"ע מש"כ האו"ש במשמעות סוף עבודה (על ה"ל ב"א"מ) לחלק בין שאר קרבנות ציבור לקרבן פסח.

38) כך נקט הגבורת ארי ביומא ד' ו', והרש"ש תמורה דף י"ד, אולם העירו דבדברי הרמב"ם פ"ד מהל' ביאת מקדש ה"ל י"ב משמע דאפי' בשאר קרבנות צבור דינם שיעשו בטומאה אם ירוב הקהל טמאים, וע' מש"כ בזה האור שמה שם.

**דף פ**  
39) על מס' סנהדרין דף יב: ד"ה ונשים (מובא כאן בחי' חתם סופר [השלם], ירושלים תשנ"ג), וע"ש מש"כ לישב הסתירה בדברי רש"י בד"ה יעשו בטומאה (ריש דף פ.) משמע דין אין קרבן ציבור חלוק אינו אלא רשות אם ירצו, ולהלן בד"ה אלא ה"ק כתב **דאסור ליהלך** שגנאי הדבר וכו'.

40) כך פסק הרמב"ם פ"ב מהל' חגיגה ה"ד, אולם ע' תוס' חגיגה סוף דף ב: דחולק על הרמב"ם.

41) וכמובן דהוי דבר מזור קצת שיהא כל הנשים טמאים בלי יוצא מן הכלל, וגם צ"ל דעסקינן דכל האנשים היו טהורים או כמעט כולם (דאלי"כ לא יתכן שיהא מחצה טמאים ומחצה טהורים שהרי קאמר חז"ל שיש בעולם חצי זכרים וחצי נקבות).

**דף פא**  
42) כך פסק הרמב"ם פ"ד מהל' ביאת מקדש ה"ו.

43) כך מבוואר ברש"י סוף דף פא: סוד"ה בתמיד דאפי' לכתחילה מותר לזרוק את הדם כנודע לו הכהן לפני זריקה דנטמא בטומאת התהום, [ודין זה חידוש גדול הוא שהרי לכא"ו עיקר דין טומאת התהום דחשבינן ליה כאילו לא נטמא אלא משעת ידעיתו ואילך וכאן מבוואר דאפי' מאחר שנודע לו טומאתו מ"מ מתירין לזרוק את הדם, ועוד צ"ע למ"ד אכילת פסחים מעכבא האיך מותר

לזרוק את הדם כיון שהקרבן אינו נאכל (לכא"ו), וע' מש"כ המקדש דוד בענין זה בקונטרס בעניני קדשים ס"ה סק"ב ד"ה כתב הרמב"ם].

44) כן משמע בפ"ד מהל' ביאת מקדש ה"ו.

45) וע"ע בקהל"י כאן סימן נ"ג מש"כ עוד בענין טומאת התהום.

**דף פב**  
46) בפירוש המשניות כאן.

47) פ"ז משנה ט' אות מ"ג (בא שם לאפוקי מפשט של הרמב"ם אבל לא הביא הפשט בשמו), וקושיא זו מובא גם בשם הגרי"ז בכתבי הגרי"ז ב"דין יוצא בקרבן פסח".

48) לכא"ו לפי"ז ה"ה דמותר לשרוף בשר פסח או שאר קדק"ל שיצא חוץ לירושלים בליל יו"ט, כדי שלא יבא לידי איסור נותר (אבל אין שורפין אלא קדשים שיש בהם פסול הגוף, אבל אם עבר זמן אכילתו, או שיש פסול בבעלים אסור לשרוף עד שנעשו נותר כדי שיהיה בהם פסול הגוף כני"ל).

49) ע' מנח"ח מצוה ז' (אות י"א דפוס מכון ירושלים תשמ"ח) ובמצוה קמ"ב (ובמצוה ח' אות ב' ד"ה והנה מדברי רש"י), וע"ע בנוב"ת יו"ד סימן נ"ג.

**דף פג**  
50) (סוף חלק ב') פסקי עבודה זרה סימן רצ"ז (ע"ש שהביא עוד ראיות).

51) ח"י סימן קע"ב (מובא בש"מ כאן ריש דף פג:).

52) מבוואר שם דצלי אינו אסור אלא כדי נטילה ונקט לפשיטות דבשיעור זה ליכא בזית.

53) הביא כן ממתני' לעיל דף מט. ועד כמה הן חוזרין בכזית, אולם ע' במנח"ח ריש מצוה ח' שהביא בשם המוצל מאש דמדויק בדברי הרמב"ם דאיסור נותר בכל שהוא, ע"ש.

**דף פד**  
54) ה"ל איסורי ביאה פרק י"ג ה"ב.

55) ח"י תתם סופר עה"ת שם בפרשת בא (דף נח. ד"ה הוא), מובא כאן בחי' חתם סופר השלם.

56) החתם סופר הביא בשם הרמב"ם "דבליל יציאתם מלו", אבל לא מצאתי כן מפורש ברמב"ם, וע' כריתות דף ט. דהביא הגמ' הפסוק כי מולים היו כל העם היוצאים, ופירש"י ותוס' שם **דבשעת יציאתם מלו** וכן מבוואר במדרש המובא להלן (אולם ע' בפ"י תוס' עה"ת שכי' דמשה רבינו מלו אותם ג' ימים קודם יציאתם).

57) שיר השירים א' נ"ז, ומובא ברמב"ן עה"ת בפרשת ויחי מט-י (בסוף).

58) (והעיר חכ"א דלכא"ו הוא בכלל משירין שאפשר לעשותן מאתמול).

**דף פה**  
59) סימן צ"ו.

60) מצוה קל"ד.

61) ומבוואר המנח"ח שיש חיוב לגמור כל הקרבן כדי שלא יבא לידי נותר אבל חיוב זה לא שייך שידחה לא תעשה משום דאינו מצות עשה (וע"ע בשפת אמת סוף דף עז: ד"ה במשנה, מובא לעיל ב"על הדף" בסוף דף ע"ט, דמשמע דנקט כמנח"ח דליכא מצוה אכילה ביותר מכזית).

**דף פו**  
62) לקמן בערבי פסחים (דף כו: בדפי הר"ף), וכ"כ מהרש"א כאן.

63) יו"ד סימן רל"ד.

64) ע"ש בחת"ס דברים נפלאים בענין נס' מיעוט מחזיק את המרובה"ה דמצינו כמה פעמים בחז"ל ע' רש"י פרשת צו בענין כל העדה פתח אהל מועד וע"ש בדרשות חת"ס שכי' **דנס זה אינו רחוק בעינינו** ע"ש, וע' עירובין דף נג. א"ר יוחנן כשהיינו לומדין תורה... היינו יושבין ג' ד' וכו', ע"ש במהרש"א, וע"ש בחת"ס בסימן רל"ד בשם התשב"ץ סוסי"ר ר"א דזמנו היה נס של מיעוט מחי את המרוב בהן השובעות בב"ה"כ בירושלים, וכי החת"ס **וה' יודע כי עיני ראו**

**בחץ לארץ דבר זה ולא אוכל לפרש מפני פריצי עמינו**, עכ"ל, וראיתי בספר מגדים חדשים ע"מ"ס עירובין דף נ"ג שהביא מאבי"ד שמאלויה בהסכמתו לספר זכרון משה (עמוד ח') שנתפרסם בעולם מתלמידי חת"ס שאירע נס זה בבית מדרשו בפרעשבורג שהיה קטן מאד מהיכל כנראה היום והיה מיעוט מחזיק את המרובה, והענין פלא.

65) או"ח סימן ת"פ.

66) מובא בדבר שמואל.

**דף פז**  
67) ע' כאן בחי' חת"ס (ירושלים תשנ"ג) וכן בחת"ס עמ"ס שבת דף עז: ד"ה ואחר, שכתב ע"ז שהוא פירוש שקיבלתי (והמדפיס מציין שם שכעין זה הפלאה פנים יפות פרשת לך לך על הפסוק ואברהם כבד, וכן בספר המקנה עמ"ס קדושין סוף דף עז: , ויעוין עוד בפנים יפות פרשת האזינו עה"פ כנשר יעיר קינו).

68) כ"כ בספר צרור המור פ"ר כי תשא על הפסוק והיה בעבור כבודי, וז"ל פרוחו האותיות מהלוחות... וזה שאמר את הדברים בעצמם שהיו על הראשונים ולא אמר כדברים אלא הדברים... וע' מהר"ץ חיות ב"ק דף נה. בענין אם היו לחות ראשונות ושניות שוות להדדי.

דף	This Al Hadaf was made possible by the following daf dedications...	יום	כט אדר
עא		Wed	
עב	לז"נ ר' מאיר נתן ב"ר מנחם אריה בוקמן ז"ל *	Thrs	א ניסן
	לז"נ אברהם יצחק ב"ר נחום חיים ז"ל *		
עג	לז"נ פגל בת נפתלי הרץ ב'רן ז"ל *	Fri	ב ניסן
עד		שבת	ג ניסן
עה	לז"נ הינדא בת ר' מאיר ע"ה *	Sun	ד ניסן
עו	לז"נ משה בן זאב וואלף Berlin ז"ל *	Mon	ה ניסן
עז		Tue s	ו ניסן
עח	לז"נ אמי מורתי שיינע (סאניא) בת הר' יצחק אייזק חיים יחזקאל הכהן *	Wed	ז ניסן
עט	לז"נ רבקה בת משה פנחס ז"ל * לע"נ מורינר ר' יהודה בן אברהם יצחק - Korn נפטר ח' ניסן תשס"ג *	Thrs	ח ניסן
פ		Fri	ט ניסן
פא	לז"נ חיה אייגער בת שלום Esrig ז"ל * by Shari & Jay Gold	שבת	י ניסן
פב	לז"נ יהודה שמואל ב"ר יצחק יעקב איצקאוויץ ז"ל *	Sun	יא ניסן
	לז"נ חוה בת ר' יהודה ליב צוקערמאן ז"ל *		
פג		Mon	יב ניסן
פד		Tue s	יג ניסן
פה	לז"נ פראדל חיה ע"ה בת ר' יצחק יעקב הלוי סג"ל נ"י האבערפעלד *	Wed	יד ניסן
פו		Thrs	א פסח
פז	נדבת משפחת גווירצמאן לע"נ הרב אליעזר בן שימא ז"ל *	Fri	ב פסח

\* dentoos yahrtzeit

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