

**Daf Hashvuah Gemara and Tosfos Beitza Daf 9**  
**By Rabbi Chaim Smulowitz**  
**Tosfos.ecwid.com**  
**Subscribe free or Contact: [tosfosproject@gmail.com](mailto:tosfosproject@gmail.com)**

**Daf 9a**  
**New Sugya**

Rabbah says: if you Shecht a bird Erev Yom Tov (and you hadn't covered its blood yet), you cannot cover it on Yom Tov, (since, we only permit someone to trouble over covering blood if he Shechted it on Yom Tov and had no choice but to cover it on Yom Tov. In this case, he should had covered it from Erev Yom Tov, so we don't permit the trouble to cover it on Yom Tov.)

However, if he did 'Gilgal' (kneaded) a dough Erev Yom Tov, he may still separate Challah on Yom Tov. Shmuel's father argues and forbids separating Challah on Yom Tov.

The Gemara suggests: perhaps Shmuel's father agrees with his son, Shmuel. After all, Shmuel allows eating bread in Chutz L'aretz, (where Challah is only a rabbinical obligation), before the separation of Challah, and at the end of the eating, remove the Challah. (The reason the rabbis decreed against separating Trumos and Maasros is; because it looks like you're fixing something, since it makes the rest of the produce permitted to eat. However, here, the bread was permitted to eat before the separation, therefore, there should be no prohibition to remove the Challah.)

Rava rejects this suggestion. After all, Shmuel admits that (by separating) and calling the name 'Challah' on this piece of dough, that it becomes Challah and is prohibited to a non-Kohain. (Therefore, it's technically considered "separating Trumos and Maasros," and is under the broad-brush prohibition to separate.)

**Tosfos quotes Rashi explaining why Rabbah permits separating Challah: although it's forbidden to separate Trumos and Maasros on Yom Tov, and separating Challah should also be included in that prohibition, but it's not. (It's not a definite proof to this; if the dough was made on Yom Tov, we allow separating Challah from it. That may only be because you have no choice but to separate Challah then), however, in our case where he did 'Gilgal' Erev Yom Tov, which the Mishna says is obligated in Challah, you could have separated it before Yom Tov. Yet, we still say it's permitted to separate the Challah, since they never forbade separating Challah in the first place. Since you have the ability to knead and bake the dough on Yom Tov in order to have warm (and fresh) Challah, and then you may separate Challah, since it was only kneaded on Yom Tov. So, the rabbis never included Challah in the general prohibition of separating Trumos and Maasros, so we'll permit it even if you kneaded it Erev Yom Tov.**

Alternatively, the Yerushalmi defines 'Gilgal' as the beginning stage of kneading, but you hadn't finished kneading it on Erev Yom Tov. Although you had the ability to separate the Challah at that stage on Erev Yom Tov, you may still separate the Challah after you finished the kneading on Yom Tov, since it was regular practice to separate Challah at the end of the kneading, so we view it as if he completely kneaded it on Yom Tov. (However, if it was totally kneaded before Yom Tov, you can't separate Challah on Yom Tov), so, we must say they included Challah in the general prohibition not to separate Trumos and Maasros on Yom Tov in cases where we expect to separate it from Erev Yom Tov.

However, we can't explain the reason Rabbah allows separating is because he makes the following differentiation between that and not allowing to cover blood that was Shected Erev Yom Tov. He doesn't allow covering blood, since leaving the blood uncovered doesn't prevent one from eating the meat. However, he permits separating Challah that was kneaded Erev Yom Tov, because, if you don't separate Challah, it will prevent you from eating the bread.

This cannot be, since the Gemara seems to say they're arguing by Chutz L'aretz, and the Gemara concludes that all agree that you may eat the bread and separate the Challah later.

You also can't say like a certain Baal Tosfos, that the reason Rabbah allows separating Challah, since we refer to Chutz L'aretz, and its separation doesn't look like you're fixing the bread (since you may eat it beforehand).

The reason this is not true is: the Gemara concludes (that it's forbidden, despite that you may eat from it before separation) because; "doesn't Shmuel admit that if you call the dough 'Challah,' it becomes forbidden to a non-Kohain." Therefore, it still looks like you're fixing something (since, that's what separating Trumos and Maaser usually does). The Gemara seems to accept this as very simple logic that no one would argue with it.

Therefore, it seems to be like our original explanations. Thus, Rabbah would permit this even in Eretz Yisrael, and Shmuel's father forbids this even in Chutz L'aretz. The proof is that the Yerushalmi only forbids separating Challah if it was completely kneaded Erev Yom Tov, but permits if you started the kneading (i.e., 'Eres,' similar to our Gemara's 'Gilgal'), although they refer to dough in Eretz Yisrael. (After all, they wrote the Yerushalmi in Yerushalayim.)

It seems the Halacha is like Rabbah (that permits separating the Challah) since he's a later authority (than Shmuel's father, and the Halacha always follows the later authority.) However, this is only if you started the kneading Erev Yom Tov, but, even Rabbah admits that it's forbidden if you completed the kneading then. This seems explicit in the Yerushalmi we brought. (Although it refers to the beginning kneading as 'Eres,' however, that is similar to our Gemara's Gilgal.)

If it happened that you forgot to separate the Challah Erev Yom Tov, (if every loaf was kneaded separately), since you can eat the bread in Chutz Laretz, eat it, but leave over a piece of each loaf to remove Challah from it after Yom Tov. The piece should be large enough that, even after you remove the Challah, you'll be left with a sizable piece of bread. After all, we Darshen that the Challah is "the first," (which implies that there is something afterwards), that the leftovers need to be recognizable (in size). If you kneaded all the bread in one kneading-trough, then you may leave over one loaf to remove the Challah the next day, which will exempt all the other loaves. After all, (you can take Challah from one of the loaves for the others) since you kneaded all the dough together.

However, if you forget to take Challah on Matzos baked Erev Pesach (where each Matzah was made separately and was less than the amount that obligates for Challah, which we'll need to put all the Matzos together after the baking to obligate it), then you need to leave over a little from each Matzah. The next day you would need to put all the leftovers in a basket (to combine them, to obligate them in Challah) and take one of the pieces as Challah to exempt the rest.

**However, there is a simple solution. You can bake an extra Matzah on Yom Tov and put it together with the other Matzos (to obligate them in Challah). It's now permitted to separate Challah on Yom Tov, so you may take one Matzah as Challah for all of them, since the obligation came now on Yom Tov, (since it includes the one that was baked on Yom Tov).**

### **New Sugya**

The Mishna says; Beis Shammai forbids bringing the dove-coup's ladder from one coup to another. He only allows (leaving it by the coup) and tilt it from one window (of one compartment) to another. However, Beis Hillel permits moving it to another dove-coup.

**Tosfos asks: (it seems the purpose of these ladders is to climb up to the coup and take a dove). However, even if you would designate the dove Erev Yom Tov (and made it no longer Muktzah), why would it not be forbidden to take the dove anyhow because you're capturing a bird on Yom Tov? After all, we say later that if someone captures a dove that nests in a coup or on a second floor, he's Chayiv.**

**Tosfos answers: we refer to young doves that don't fly yet. (There is only a prohibition to capture adult ones that fly.)**

In the Gemara's first version, R' Chanan b. Ami says that they argue about carrying the ladder in the street. Beis Shammai forbids this, since people might think he's moving the ladder to cement his (flat) roof (to make a slight incline so that rain water should run off). Beis Hillel holds that nobody will suspect him of such, since it's obvious that it's a dove-coup ladder. However, everyone permits carrying it within your own property.

The Gemara asks: but, doesn't Rav say that anything the rabbis prohibited for, perhaps, people will suspect he's doing something bad, they forbade it even in his innermost chambers? (So, how can R' Chanan say that Beis Shammai only prohibits in the streets, but not on his property?)

**Tosfos is bothered by the question: perhaps R' Chanan argues with Rav. After all, Rav is only an Amora, just like R' Chanan.**

**Tosfos answers: since Rav was the greatest in his generation and Rosh yeshiva over the whole Jewry, (without a parallel, besides his colleague Shmuel), it's not logical that R' Chanan would argue against him.**

The Gemara answers: it's a Tanaic argument, (and there is a Tanna who agrees with R' Chanan). As we see, the Tanna Kama says that someone may take his clothing that fell into a puddle and hang them up to dry in the sun, but not in front of the public who may think he washed them on Shabbos. R' Eliezer and R' Shimon forbid it even in private.

A second version is: R. Chanan b Ami says that, all agree that you can't carry the ladder in the street so that you shouldn't be suspected of wrong doing. They argue whether he can carry in his own domain. Beis Shammai forbids it, since he agrees with Rav. Beis Hillel permits it since no one would see him carrying the ladder, and argues with Rav.

The Gemara asks: if so, then does Rav hold like Beis Shammai? The Gemara answers: it's a

Tannaic argument, as we said before.

**Tosfos quotes Rashi's explanation in full: he says this question is on R' Chanan. After all, since Rav can't learn like him, that Beis Hillel only permits it in your own property but not in the street, since this would be against the Halacha. So, Rav would explain that Beis Hillel would permit carrying it in the street since it's obvious that it's a dove-coup ladder. So, how can R' Chanan argue with Rav?**

**On that, the Gemara answers: it's a Tannaic argument. Therefore, although Rav must explain that Beis Hillel permits carrying in the street, but I hold like the Rabanan that permits hanging the clothes in private who disagree with Rav, and they would have explained Beis Hillel not like Rav, that they only permit carrying in private.**

**However, there are those who want to explain the Gemara's question that it was asked on Rav, (how can he Paskin like Beis Shammai?) So, the Gemara answers: it's a Tannaic argument, and some other Tannaim also agree to Beis Shammai, and I agree to those Tannaim.**

**However, this doesn't make sense. After all, why are the Tannaim R' Elazar and R' Shimon greater than Beis Hillel (that Rav can abandon Beis Hillel's opinion)? After all, Beis Shammai is also composed of many great Tannaim, and yet the Halacha is not according to them (So, why would adding two more Tannaim make it the Halacha?)**

#### **Daf 9b**

The Gemara says: our Mishna disagrees with the following Braisa. The Tanna Kama says that Beis Shammai and Beis Hillel agree that you may carry a ladder to a dove-coup. (Since you need to take the doves for Yom Tov, we allow it). They only argue whether you may return the ladder to its original location. Beis Shammai holds it's forbidden and Beis Hillel holds it's permitted. R' Yehuda says: we only say this by a dove-coup ladder, but not for a ladder that's made to climb to a second floor (since it looks more like you're bringing it to cement your roof). R' Dosa only permits tilting the ladder from window to window (but not to carry it), and Acharim say in R' Dosa's name that you may walk the ladder over (i.e., you can push the ladder's legs a little at a time).

R' Chiya's sons once went to a village (to check up on their fields). When they returned, R' Chiya asked them if they received any Shailos. They answered that the Shaila of carrying a ladder (made to climb to the second floor) came up, and they permitted it. R' Chiya ordered them to return and forbid the ladders. The sons thought that, since R' Yehuda forbade them, (it seems that he's coming to argue with the Tanna Kama), so, the Tanna Kama permits it, (and the Halacha is like him). However, that's not true. Rather, R' Yehuda was just explaining the Tanna Kama's position.

**Tosfos asks: we have the rule that when R' Yehuda says "when do we say that," he's coming to argue with the Tanna Kama. (So why do we say here that he's coming to explain the Tanna Kama?)**

**Tosfos answers: that rule only applies when he says it in a Mishna, and not if he says it in a Braisa.**

The Gemara explains how does it know this (that R' Yehuda is explaining the Tanna Kama's

position, and is not arguing). Since the Tanna Kama says “he moves it from coup to coup.” If he wanted to permit even a ladder of the second floor, he should have just said “he moves it to a coup.” (After all, it’s taken from the building and not the coup. So, we must say that, the fact he’s telling us take it from the coup), that it’s a ladder that’s made for a coup, and not made to go to the second floor.

The sons who disagreed reasoned; it doesn’t say take a dove-coup ladder. It only said take a ladder from coup to coup. It teaches us a Chidush that you may take this ladder (that originated by a building) to many coups.

A second version of this encounter: they said that the Shaila was; can you tilt a second floor ladder, and we permitted it (like R’ Dosa). Their father told them to go back and forbid it. They thought that R’ Dosa was permitting what the Tanna Kama forbade (a second floor ladder). R’ Chiya pointed out, in truth, R’ Dosa was prohibiting what the Tanna Kama permitted (that he forbids even moving dove-coup ladders, and only allows tilting it).

**Tosfos asks: who does R’ Dosa hold like? After all, (in this Braisa) both Beis Shammai and Beis Hillel agree that you may move a ladder to a coup.**

**Tosfos answers: he holds that Beis Shammai and Beis Hillel don’t argue the way (the Tanna Kama says, but rather, they argue whether you can tilt the ladder).**

**Tosfos asks: this Gemara seems to Paskin like R’ Dosa (and forbids moving a ladder. Yet, the Gemara in Eiruvim allows moving ladders. This flies in the face of our whole Sugya that even the Rabanan forbids moving a second floor ladder, and R’ Dosa forbids even a dove-coup ladder.**

**Tosfos answers: there are two types of ladders. In Eiruvim, it refers to a smaller ladder, and our Sugya refers to bigger ladders.**

**R’ Avraham of Borgeil answers: the Gemara in Eiruvim refers to Shabbos. The whole reason we forbid ladders is because people might suspect that you’re cementing your roof. On Shabbos, where you can’t carry the ladder out, there is no worry that someone will see you to suspect you. Our Gemara refers to Yom Tov, where you could carry outside. Only there we have this worry that someone will suspect you. According to this second answer, we can’t even carry our (small) ladders on Yom Tov even in our own homes, perhaps the Halacha is like R’ Dosa (that forbids carrying all ladders on Yom Tov).**

### **New Sugya**

The Gemara asks: from here (that Beis Hillel allows moving the ladder and Beis Shammai forbids it), we see that Beis Hillel is generally more lenient regarding Simchas Yom Tov, and Beis Shammai is more stringent. However, the first Mishna in the Mesechta seems to say the opposite. There we see that Beis Shammai allows Shechting a bird and digging for dirt, and Beis Hillel forbids Shechting to dig dirt. So, Beis Hillel is more stringent and Beis Shammai is more lenient.

**Tosfos asks: why doesn’t the Gemara ask from the beginning of that Mishna, where Beis Shammai permits an egg laid on Yom Tov and Beis Hillel forbids it, that Beis Hillel is more stringent and Beis Shammai is more lenient?**

**Tosfos quotes Rashi who answers: refraining from eating an egg is not under the category of refraining from Simchas Yom Tov, since an egg is not much of Simcha. So, the reason why Beis Shammai permits there (has nothing to do with being lenient to permit Simcha) but because he disagrees with all the reasons to forbid an egg. He doesn't agree to the concept of Rabbah's 'preparation.' He also doesn't believe that it's at all similar to fallen fruit (from a tree) or liquid that leaked (from fruit).**

R' Yochanan answers: we must switch their opinion (in one of the cases) so that they can be consistent to their opinion.

The Gemara says: perhaps it is not necessary (to say their opinions switched). Rather, the only reason Beis Shammai permits Shechting in the first Mishna is because you have the Heter of a spade stuck in, but regularly, he'll be more stringent. Also, perhaps Beis Hillel is only lenient in the case with the ladder, since it's obvious that it's made for a dove coup, but regularly he would be stringent.

**Tosfos seems to be going on the end of the Sugya, so we'll wait until then (Daf 10a) to explain it.**

Rather, if there is a contradiction, it involves a later Mishna. Beis Shammai says that you can't take a dove to Shecht on Yom Tov, unless you prepared it by picking it up. (This is because, perhaps, if you designated it without feeling it, the next day you wouldn't be satisfied with what you took, and you wouldn't end up using them (and you'll end up moving them for no reason (Muktza) or you won't have Simchas Yom Tov)). Beis Hillel allows preparing the doves by just saying which ones you designate. So it seems Beis Shammai is stringent and Beis Hillel is lenient. However, in the case of Shechting and digging it's the opposite. So, R' Yochanan answers that we must switch their opinions.

### **Daf 10a**

**The Gemara, again, says that this may not be necessary. Perhaps Beis Shammai is only lenient in a case where you have the Heter of a spade stuck in, but not in other cases. Also, perhaps Beis Hillel is only lenient by preparing birds from Muktza, since he holds that by saying you're designating them to eat is enough to make them 'prepared,' (and not Muktza). However, he may be stringent in other cases.**