

Daf Hashvuah Gemara and Tosfos Beitza Daf 29
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New Sugya

The Mishna says that you can't say to a butcher to give me a Dinar's worth of meat, but rather you Shecht and you split it.

Daf 29a

The Gemara asks: how do they split it? The Gemara answers: (they say give me a standard portion or a half of portion. Each city had their own terminology for a portion, so the Gemara says what each city would say to give them a portion or half a portion)

New Sugya

The Mishna says that the Tanna Kama allows someone to say fill for me (wine) in this utensil, as long as it's not a measurement. R' Yehuda forbids with a utensil made for measurements. Abba Shaul b. Batnus poured the measurements out to his costumer's utensils from Erev Yom Tov to avoid this problem. Abba Shaul said to do this during Chol Hamoed too. (Some texts say because to give time for all the froth to stop, so you can fill what's missing.) The Chachumim says to do this during the week too (to make sure you have all the liquid drip in.)

The Gemara asks: what does it mean "as long as it's not a measurement"? R' Yehuda quotes Shmuel: it means; as long as it's not the cup that's designated for measuring, you're allowed to have it poured in a backup measuring cup. R' Yehuda forbade to pour it even in the backup measuring cup. This seems to say that the Rabanan where lenient and R' Yehuda was strict regarding Simchas Yom Tov. The Gemara asks: we learned before that R Yehuda says you can weigh meat (on Yom Tov with a make-shift weight), that it should be weighed against the weight of a utensil or cleaver (that you know how much they weigh). However, the Rabanan say that you may not use a scale at all. So, we see that R' Yehuda is lenient and the Rabanan are stringent regarding Simchas Yom Tov. So, this is a contradiction for both R' Yehuda and Rabanan.

The Gemara answers: R' Yehuda was only lenient there since you measure it with something not made for measuring. However, here he's using something made for measuring. Rabanan were only stringent there since you did it in a way that one measures it regularly during the weekdays (that, if you don't have the proper weight, you'll substitute a utensil that you know its weight for weighing). However, here they were lenient since they wouldn't regularly measure in this backup measuring cup.

Rava explains "as long as it's not a measurement": they don't allow asking for it if they mention the measurement of the cup, (like give me a 'Lug'), but they allow to pour it in a cup that's designated for measuring. However, R' Yehuda forbade pouring it in a cup that's designated for measuring. This seems to say that the Rabanan where lenient and R' Yehuda was strict regarding Simchas Yom Tov. The Gemara asks: we learned before that R Yehuda says you can weigh meat (on Yom Tov with a make-shift weight), that it should be weighed against the weight of a utensil or cleaver (that you know how much they weigh). However, the Rabanan

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New Sugya

The Gemara says: the reason for Abba Shaul to do this during Chol Hamoed is because of wasting time from people learning in the Beis Medrish. (Since people spend more time then in Beis Medrish, so Abba Shaul was needed there to say Torah. Therefore, he made sure that all the measuring was done at night so he'll be free in the day to go to Beis Medrish. According to the text in the Mishna that the reason is to wait until the froth goes down so that you can make sure it's filled, this is because you shouldn't do it during the day and this would prevent the buyers to come right away to the Beis Medrish.)

New Sugya

There was a story that someone had three hundred barrels of wine that was the accumulation of the leftover of all the wine that he sold with that froth and he didn't fill it up completely. His friend had the same amount that accumulated because he didn't allow to drip everything in their jars (since they stuck to the walls of his jar). They brought it to the Beis Hamikdash (in hope that they can use it, but they didn't make it officially Hekdish since they thought it wasn't theirs to donate, and even if it would be theirs they were afraid that it was stolen, which is not good for Hekdish). The treasurers said there is no reason for the merchants not to keep it for themselves, since the rabbis didn't require to make sure every drop goes to the customers (and the customers forgive it since they don't want to wait for each drip. Even so, the merchants said that they don't want to keep what's not rightfully theirs. They answered: if you want to be stringent (as if you took something what's not yours) donate it to advance the public utilities. As the Braisa says: if you stole from the public (by being dishonest in your measuring) and you don't know who to return it to, donate it to advance the public utilities. R' Chisda explains: it means to pay for making (public) wells, trenches and caves (of water).

New Sugya

R' Chisda told Mar Ukva that you're not allowed to measure barley for your animal, but you make take a bowl that holds a Kav or two and dig into the barley and give it to the animal. A cook can measure the spices to put into a stew so that it doesn't make the stew taste 'burny' (from so much spice).

Rav says that you can measure flour for a dough so that you can take off Challah generously (so you should know how much is an exact twenty-fourth and not to estimate and give off too little). Shmuel forbids it. The Gemara asks: doesn't Shmuel teach a Braisa that you can measure.

Daf 29b

Abaya answers: since we see Shmuel saying the opposite of what he taught in a Braisa, he's telling us the practical Halacha (that you shouldn't).

Tosfos brings those who explain: Shmuel is saying how a rabbi must answer an inquiry posed to him, that he must forbid, however, if you see someone measuring, you shouldn't protest. Therefore, we can say that Shmuel doesn't argue on Rav and the Braisa, since they all agree that you can't permit it to someone who inquires this from a rabbi.

However, Bahag says that they do argue and Shmuel argues with Rav and the Braisa. On this, some say to Paskin like Shmuel despite usually Paskening like Rav in prohibitions, since the Gemara says flatly that Shmuel is telling us the practical Halacha. However, others say that the Halacha is like Rav since the Halacha is like him against Shmuel, and explicitly here where there is a Braisa that supports him.

R' Shmuel from Ibraya says: even to those who permit measuring, nowadays you can't measure. They only permitted in the old days where they actually took off a twenty fourth and you gave it to a Kohain, where it applies to say to take off Challah generously. However, nowadays, where we only take off a little even from a large dough and you only burn it, then you should just estimate to make sure you have the right measurement for Challah so that you can make a Bracha. The same applies by baking Matzos on Pesach you just make sure that you don't make every dough less than the measurement of Challah. You can't use the regular measuring bowl to measure, but you must put less flour into it. If it's a particular small measuring bowl, you can estimate by adding some flour.

New Sugya

The Tanna Kama says: you can't resift flour on Yom Tov. R' Papayis and R' Yehuda b. Besaira permits. However, all agree that if a pebble or woodchip fell in, that it's forbidden. Someone taught a Braisa in front of Raveina that you can't resift it, but it's permitted if a pebble or woodchip fell in. He commented (the reason you don't hold of resifting regular is because of the Melacha of sifting), if so, this would be also prohibited by doing the Melacha of separating.

The small Rava b. R' Huna Darshined by the gates of Nahardai that it's permitted to resift flour. R' Nachman said that he can take the good that he did (to inform people that resifting is permitted) and hang it on thorns (since it wasn't necessary). After all, see how many sifters come out (on Yom Tov) in Nahardai.

R' Yosef's wife sifted backhandedly by sifting upon the sifter (i.e., through the back of the sifter). R. Yosef said to see to it that he gets fine bread (so she shouldn't do it backhandedly, since the results would not be as good).

R' Ashi's wife sifted it upon the table. R' Ashi says that her father is Rami b. Chama who was very careful in Mitzvos, and if she didn't see it by him, she wouldn't have done it.

Tosfos brings Rashi who explains that she sifted over an overturned table. This is similar to the explanation above sifting upon the sifter. However, Tosfos say that we can say that they just sifted over a right-side table, since that's considered as sifting backhandedly. After all, its normal to sift into a kneading trough (and not directly on the table).

However, this Heter to sift backhandedly is not permitted when you're sifting for the first time, since it was quoted on the Braisa about resifting. This is not like the Rashbam who says that once you're sifting it backhandedly, it's permitted even when sifting the first time. However, we can be lenient like him regarding asking a non-Jewish maid to do it, but you can't rely on it to do it yourself.

New Sugya

Someone can go to his regular grocer (who trusts him) and order an amount of eggs and nuts. (It's not only the way of buying by asking for an amount) since it's also the way to ask for amounts of food in his house.

Tosfos points out that you may ask a Jewish or non-Jewish grocer. There is no difference between them unless they're items that was possibly attached or came into existence (Nolad) on Yom Tov.

You may go to your usual shepherd and ask for a kid or lamb. You may go to your usual butcher and ask for a foreleg or a back leg. You may go to your usual bird raiser and ask for a turtledove or dove. You may go to your usual baker and ask for a loaf or delicate white bread. You may go to your usual grocer and ask for twenty eggs or fifty nuts or ten apricots or five pomegranates or one Esrog as long as you don't mention the tabulation of the volume. R' Shimon B. Elazar says as long as you don't mention the tabulation of the worth.

Tosfos brings this as Rashi's text (that the Tanna Kama prohibits "tabulation of volume") that you can't say give me a Kav or two amount. However, Tosfos ask: if so, it should be simple it's forbidden (*Maharsha- to mention the volume amount*).

Another question: why does the Braisa say "the tabulation of the volume" instead of just mentioning the volume.

Therefore, Tosfos opts for R' Chananel's text. That the Tanna Kama prohibit mentioning the tabulation of the amount. It's going on what we allowed before of asking for five nuts and ten apricots, that you can't give a tabulation, as saying; give me ten, and I already owe you for thirty, so I altogether owe you forty. However, R' Shimon b. Elazar disallows only tabulation how much he owes in money, give me six coins worth, and since I owed you before six coins, I owe you altogether twelve. However, he holds that you can tabulate the amount of fruit he owes. This text is also found in the Tosefta and Bahag. Therefore, someone should be careful not to tabulate the amount since it looks like he's doing business.