



OVERVIEW of the Daf

1) Clarifying the Mishnah

The Gemara offers two explanations for a seemingly repetitious statement in the Mishnah.

2) **MISHNAH:** The Mishnah presents three other cases in which you can have one characteristic without the other but it is not possible to have the second without the first.

3) Earthenware utensils

The Gemara elaborates on the halachic impact of different size holes in an earthenware utensil.

R' Assi further elaborates on this topic.

A Baraisa presents different opinions regarding the proper method to test a utensil that has a hole.

Ulla explains the difference between Tanna Kamma and R' Yehudah.

4) Extra limbs

Parameters for when an extra limb transmits tum'ah and the manner by which it transmits tum'ah is presented.

R' Chisda further elaborates on the topic.

Rabba bar bar Chana qualifies this ruling.

5) Tum'as midras

The Gemara teaches that any object subject to tum'as midras is subject to the tum'ah of a corpse and objects that are not subject to tum'ah of a corpse cannot become tamei from midras.

The case that is included by this rule is identified.

6) **MISHNAH:** The Mishnah rules that one who can adjudicate capital cases may adjudicate monetary cases but one who can adjudicate monetary cases may not necessarily adjudicate capital cases.

7) Unfit to adjudicate capital cases

R' Yehudah asserts that a mamzer is the one who may adjudicate monetary cases but is unfit to adjudicate capital cases.

The necessity for this Mishnah is challenged.

The Gemara answers that one case includes a convert and the other includes a mamzer and the reason why it was necessary to include each case separately is explained.

8) **MISHNAH:** The Mishnah teaches that those who can adjudicate may testify but those that may testify may not necessarily adjudicate.

9) Fit to testify but not fit to adjudicate

R' Yochanan asserts that the Mishnah intends to include someone who is blind in one eye. ■

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Distinctive INSIGHT

A vessel with a hole in it large enough to allow water to enter
אם כנסה בידוע שכונס משקה

A Baraisa cites several opinions among the Tannaim regarding how to examine an earthenware vessel in order to determine whether a hole is large enough to allow liquid to enter it. This is important for determining whether or not a vessel may be used for parah adumah water, and when the vessel will lose tumah.

One method is that a large bowl is filled with water, and the earthenware vessel that has a hole is then pushed into the water. If water from the bowl enters the vessel through the hole, this proves that the hole is large enough to allow water to enter. Rabbi Yehuda contends that this method will produce results that are not accurate. Perhaps the added pressure of being pushed down into the water when the vessel is lowered into the bowl of water will cause water to penetrate into the vessel, even if the hole is smaller than would normally allow liquid to penetrate. We would mistakenly conclude that this vessel is broken. Rather, the proper method of testing the vessel is to flip it over so that its mouth is facing down. We place the inverted vessel into a large bowl before any water is added. We then pour water into the bowl until the water level rises above the inverted vessel. Now, if any water seeps into the inverted bowl, we know that the size of the hole is large enough to consider the bowl defective.

The Baraisa then continues with R' Yehuda presenting an alternative method to test the size of the hole, and another method suggested by R' Yose.

We see from these tests that the manner to check whether a hole is large enough to allow water to enter is by conducting an actual experiment to see if water will enter the vessel under various conditions.

Tosafos notes that the Gemara in Chullin (107b) also mentions the rule of a vessel being intact as long as it has no holes

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REVIEW and Remember

1. Do extra digits have bones?

2. How does one examine a utensil to determine whether a hole lets in liquid?

3. Who is fit to adjudicate monetary matters but not capital cases?

4. Who is fit to testify but not to adjudicate?

HALACHAH Highlight

A washing cup with a hole

כיצד בודקין כלי חרס

How do we inspect an earthenware vessel

The Gemara discusses the status of an earthenware utensil that has a hole in it. If a vessel contracts tumah, the tumah will dissipate if the utensil is no longer useful for its intended purpose. The first level at which a vessel may lose its functionality is if it has a hole in it which is large enough to allow liquid to escape. This is a relatively small hole, and it only affects a "gistira," a shard which is used collect smaller amounts of liquid. A "gistira" shard which is tamei loses its tumah once it has even a small hole, as this will generally be discarded. An intact vessel which has a hole large enough to allow liquid to enter from the outside (which is bigger than a hole which would allow liquid to exit) is technically still useful for all purposes, so if it is tamei it will remain tamei, but at this point it may not be used to gather water for the parah adumah, or for blending the parah adumah ashes and waters. This vessel is disqualified from this purpose due to the higher standards of the parah adumah procedure, although the vessel is considered fully intact for mundane purposes. (See Rashi 49a, Shi'uro).

A vessel which becomes punctured with increasing sized holes will lose its status as a vessel depending on the owner's intent of how it should be used. It might have a hole big enough to allow the roots of a plant to puncture through, or larger, to allow an olive fall through, and finally large enough to allow a pomegranate to fall out. At this point, the vessel is considered no longer functional, and it is tahor regardless of the owner's intent.

The Gemara then cites a Baraisa that describes the proper method for testing a vessel to determine whether the hole is large enough to allow water to enter. One fills a large bowl with water and then places the vessel in question into the water so that the hole is beneath the surface of the water. If the water enters the

(Insight...continued from page 1)

large enough to allow water to penetrate into it. The context of that Gemara is the immersing of one's hands. The Gemara allows a person to immerse his hands in a vessel if there is a stream flowing from the vessel onto the ground, whereby we say that the water in the vessel is connected to the ground. It is not adequate for the water to be dripping out one drop at a time, but it rather has to be a steady stream. Tosafos suggests that the size of the hole to allow this regular flow out of the vessel is the same size which would allow water to penetrate into the vessel from the outside.

Tosafos also points out that although our Gemara and a discussion in Shabbos (95b) regarding technical details of vessels only refer to earthenware vessels and not those of wood, it is reasonable to say that in regard to washing one's hands these rules apply to all types of vessels of all materials. Therefore, one should not use a vessel to wash his hands if it has a hole large enough to allow water to enter. ■

vessel it is clear that the hole is large enough to allow water into the vessel. Another sign that the hole is large enough to allow water into the vessel is if the droplets exit the utensil quickly one after another.

Tosafos¹ writes that the same guidelines should be followed to determine whether a vessel may be used for netilas yadayim. In the Gemara in Chullin (107a) Rava ruled that a vessel that allows water to escape is unfit for washing and the method to make that determination is based on the guidelines presented in our Gemara. Although the guidelines presented in our Gemara were stated in reference to earthenware utensils the guideline applies to vessels made from other materials as well. Shulchan Aruch² mentions the test of placing the vessel in question in water and Mishnah Berurah³ adds the other test of determining whether the droplets follow one another in rapid succession or not. ■

1. תוס' ד"ה אם כנסה.
2. שו"ע אור"ח סי' קנ"ט סעי' א'.
3. מ"ב שם סק"ז. ■

STORIES Off the Daf

The Convert's Choice

לאתווי גר

On today's daf we find halachos that apply to converts.

Converting is a huge sacrifice, which God values greatly—and so should we. But as is well known there is a halachah that a non-Jew who converted as a minor can recant his decision upon reaching majority. In that case, he reverts to being a non-Jew.

How sad that he lost out on such a special distinction due to some passing whim!

There was a case where a family converted together; mother, father and children. When one son heard that he was allowed to opt out of Yiddishkeit, he honestly said that he wanted to let go of his conversion. "If I am obligated to be a Jew that is one thing, since God wants me to fulfill the mitzvos. But if I am able to be a non-Jew, why should I take on the obligation to do all the mitzvos? How can I know that I will fulfill them as I should? Isn't it better for me to go the easier but more sure way?"

But when he expressed this wish, the dayan he spoke to wasn't sure what to do. "I am not sure whether when an entire family converts one who was a minor at the time can opt out. This is a machlokes Rishonim and I am not certain how we rule."

When this question reached the Chasam Sofer, zt"l, he ruled decisively. "We hold like the Rishonim who rule that a convert whose entire family converted with him cannot opt out of his Jewishness."¹ ■

1. שו"ת חתם סופר, יו"ד, סי' רנ"ג. ■