

דכל דמידדי אי הדר חזי לקיניה מידדי -

For anyone who hops, if when it turns, it sees its nest, it hops

OVERVIEW

The גמרא explained that the case of the משנה (where שובכין קרוב לזה שלו) is where the two שובכין were found in a path of a vineyard. We are not concerned that perhaps the birds came from elsewhere, because the found bird was a מדדה and a bird who is מדדה will not continue to be מדדה unless it can see its nest. And since it was found שביל של כרמים this means it cannot come from a nest outside the כרמים, for the כרמים will prevent her from seeing her nest. Therefore, we must assume that the bird came from the שובך that was inside the כרמים (so it can see its nest). תוספות clarifies this answer.

לא היה צריך למאי דקאמר אי הדר חזי לקיניה מידדי -

'אי הדר חזי לקיניה, which it said, for the גמרא to say this **מידדי,** in order to answer the question, 'why we do not assume that this bird came from elsewhere'; the reason it is not necessary -

כיון דשובכין דעלמא יותר מחמשים מן הכרמים [אז] ליכא למיחש לרובא דעלמא -

Since presumably the שובכין from elsewhere are further than fifty אמות from the כרמים, so then there is no concern for the majority at large -

דכל המדדה אינו מדדה יותר מחמשים -

For whoever hops cannot hop more than fifty אמות, so how could the birds מעלמא reach this שביל של כרמים, since they are more than אמה distance -

אבל הנך שני שובכין שהכרמים בתוך חמשים אמה שלהם -

However regarding these two שובכין, that the כרמים are within אמה (for the שובכין are in the כרמים) -

אתי שפיר דקרוב לזה שלו אפילו נמצא חוץ לחמשים אמה -

It is properly understood that the closer one owns it, even if it was found outside the אמה -

דלא נפק מתורת מדדה דעל ידי כרמים מידדי יותר מחמשים¹ -

Since it did not lose its status as a מדדה, for with the assistance of the כרמים

¹ We have explained the משנה without resorting to the idea of לקיניה מידדי. The case is where the two שובכין were in a שביל של כרמים. The bird (which was a מדדה) was found (even) more than fifty אמות away from the שובכין. However, there were no שובכין within fifty אמות of the כרם. Therefore, it cannot have come מעלמא because no bird can be מדדה more than אמה (usually). However, the bird could come from this (closest) שובך, even though it is more than אמה distance, since it is within fifty אמות of the כרם (it is in the כרמים), therefore it can be מדדה up to the כרם and continue to be מדדה with the assistance of the כרם even more than fifty אמות.

birds are **מדדה more than fifty** אמות. The unspoken question remains; why did the גמרא mention 'אי הדר חזי לקיניה מידדי'?

תוספות replies:

אלא איירי דאפילו אם יהו שובכין דעלמא בין הכרמים² -

Rather the reason the גמרא mentions 'אי הדר וכו' is that **even if** the משנה is **discussing a case where the outside שובכין are also in the vineyard**, so they too can be מדדה more than אמה נ', nevertheless it belongs to the closer שובך which is found שביל של – בין הכרמים, but not to the שובך which is found כרמים

An alternate scenario:

ועוד מדנקט שביל משמע שאלו ב' השובכין בתוך השביל -

And additionally, since the משנה mentions שביל (pathway), this indicates that these two שובכין are in the שביל -

והניפול כמו כן נמצא בתוך השביל -

And the bird was also found within the שביל -

דליכא למיחש שהן³ משובכין דעלמא אפילו אינם רחוקים כלל⁴ -

So therefore, there is no concern at all that this bird is from דעלמא, even if the שובכין דעלמא are not at all far away; the reason is that -

כיון דלא מצי חזי לקיניה אבל מאלו השובכין הוא דאין דבר מפסיק בינו לבין השובך:

Since it cannot see its nest, it will not be מדדה (even less than נ'), **however** we can assume that it is from (the closer of) these שובכין which are in the שביל, **for there is nothing which separates between the bird and the שובך**; they are both in this clear path, so they can see the nest (שובך).

SUMMARY

The reason the גמרא states that a bird will not be מדדה if it cannot see its nest, is to explain why we are not concerned for דעלמא even if it is a case where the שובכין דעלמא are בין הכרמים, or even if they are less than אמה נ' from the bird.

² We give it to the שובך that is כרמים של שביל because since it is שביל (a clear path) it can always see its nest, even from more than אמה נ' distance; however, we do not return it to the בין הכרמים שובך, since the grapevines prevent the bird from seeing its nest, therefore it will not be מדדה that far. In this case we are discussing where the bird was found more than fifty אמות from all the שובכין. However, since it is בין הכרמים it can be מדדה more than נ'. Nevertheless, we give it only to the (closer) שובך which the bird can see from the place where he is found, but not to the דעלמא שובכין, which the found bird cannot see because the grapevines block it.

³ A marginal note amends this to read שהוא (instead of שהן).

⁴ The other שובכין may even be within נ' of the found bird, and nevertheless we do not assume that it came from those other שובכין.

THINKING IT OVER

It seems that the difference between the first answer of תוספות and the ועוד, is whether the שובכין דעלמא are more than נ' אמות away,⁵ or even if they are within נ' שביל.⁶ However it would seem that in both cases the two שובכין must be in the שביל של כרמים, so that the bird can see its nest. Why then does תוספות mention this only in the 'ועוד', but not in the initial explanation?!

⁵ See footnote # 2.

⁶ See footnote # 4.

⁷ אולי י"ל, the first answer of תוספות is saying that even though the simple understanding of the גמרא is that the bird was found חוץ לנ' (from all the שובכין), so there is no need for the גמרא to say דכל דמידדי וכו', nevertheless we can establish it in a case where the שובכין דעלמא were also בין הכרמים so they too can be מדדה more than נ'. However, since כל דמידדי וכו', they will not be מדדה, therefore we give it to the שובך that is in the שביל. However, there was no need to establish the משנה in such a case. The 'ועוד', however is possibly arguing that the answer of the גמרא that it was found בשביל של כרמים, indicates that the other שובכים we also תוך נ'. The גמרא could have simply answered that the שובכין ב' were in the כרמים and therefore the bird can be מדדה more than נ', while there were no other שובכין within נ' אמה of the כרמים. Therefore, since it was מדדה it cannot be from the other שובכין; why mention שביל at all?! This indicates to us that the גמרא did not mean to answer that the other שובכין were far away, but rather all the שובכין were within נ' of the bird and in the כרם. The only difference is that these two שובכין were in the שביל where the bird can see them. The other שובכין were also within נ' of the bird, but not in the שביל, so therefore it does not belong to them since they cannot see their nest and we know that כל דמידדי וכו'.