

Three sets of witnesses

תלתא כיתי עדים –

OVERVIEW

The גמרא explains that there will be a difference whether we maintain לייעודי תורא or לייעודי גברא, in a case where three sets of עדים testified in one day (that his ox gored three times [in three days]). The ox will be considered a מועד if we maintain לייעודי תורא, but not if we maintain לייעודי גברא. Our תוספות clarifies the case

לאו דוקא דהוא הדין כת אחת:

This is not precise (that the difference is [only] in a case where *three* sets of witnesses testify), **for the same difference will also be** if **one set** of עדים testify (in one testimony) that he gored three times (in three days).

SUMMARY

If one set of עדים testify in one day that the ox gored three times he will be a מועד if we maintain לייעודי תורא, but not if we maintain לייעודי גברא.

THINKING IT OVER

Why indeed did the גמרא write three sets of עדים instead¹ of one?²

¹ It would seem more plausible that there was one set of עדים who saw all the נגיחות and they could not come to ד"ד, for whatever reason until after all three נגיחות, rather than to say there were three sets of עדים and coincidentally they all turned up in one time after all the three נגיחות!

² See # 63. אוצר מפרשי התלמוד and חי' הרשב"א