

והא זה וזה קתני – But the משנה states; ‘this one and this one’

OVERVIEW

The גמרא challenges the assumption that the claims of 'וכו' אני מצאתיה and 'וכו' זה אומר כולה שלי are one and the same case. This cannot be since the terms זה אומר are repeated twice once by אני מצאתיה and one by שלי כולה.

איכא דוכתי דפריך כי האי גוונא ואיכא דוכתי דלא פריך: [עיי' תוס' בכורות דף לא: ד"ה א"כ]:¹
There are places where the גמרא asks in this manner, and there are places that the גמרא does not ask this type of a question; why is the משנה repetitious. However this גמרא is one of the places where the גמרא does ask.

SUMMARY

The גמרא occasionally comments on a repetitious משנה and at other times it ignores the issue.

THINKING IT OVER

According to the תוספות in בכורות² that when the repetition adds additional explanation, the גמרא does not question why is there a repetition; then in our case, why does the גמרא ask concerning the repetition, since the repetition teaches us something new; that לא קני?

¹ in תוספות concludes that in the places where the גמרא does not ask why the תנא repeats himself, that is because it is possible to explain that by the repetition the תנא is explaining himself better; however in those places where the גמרא does ask, why does the תנא repeat himself, that is because in these places the repetition does not add anything to the explanation. It would therefore seem (that since our גמרא does ask the question), that if our משנה was discussing only one case (of מציאה), nothing is gained by the repetition. See (however), 'Thinking it over'.

² See footnote # 1.