

דאי לא תימא הכי טלית שחציה כולי –

For if you will not say so; a טלית which half of it, etc.

OVERVIEW

ר' אבהו explained the reason the תפוס acquires the entire מוסירה (and not the רכוב), is because the תפוס has the capability of snatching the entire מוסירה off the חמור (and away from the רכוב). The גמרא rejected this view, claiming that according to ר' אבהו if a טלית is half on the ground and half on a post (and someone picked up the half from the ground without lifting up the half from the post), should he acquire the entire טלית since he can pull it to himself off the post? Obviously not! The same applies here. תוספות questions the 'obviously not!'.

תוספות asks:

קצת קשה¹ מנא ליה שלא יחלוק רבי אבהו אף בזה:

There is a slight difficulty; how indeed does ר' אבהו know that will not contest this as well; ר' אבהו may maintain that in the case of חציה על העמוד, the one who is able לנתקו ולהביאה אצלו will indeed be קונה everything. תוספות does not answer his question.

SUMMARY

There is no source that the one who can snatch it of the post, is not קונה.

THINKING IT OVER

The גמרא seems to be asking that according to ר' אבהו it will come out that in a case of חציה על הקרקע וחציה על העמוד then the one who picked it up from the קרקע will be זוכה. Seemingly this is exactly what ר' אבהו is saying; not merely what is derived from his words, so what is the גמרא asking?²

¹ See ק"ק א תוה"ר who addresses this question as a תימה (not merely a ק"ק).

² See אבני קודש.