

השתא הוא בבית כולי – **Now if even when he is in the house, etc.**

OVERVIEW

The **ברייתא** says even if the **שליח** is in the house and the **סופר** is in the attic, nevertheless the **שליח** may say **בפ"נ**. It continues that even if the **שליח** enters and leaves ([presumably] the attic) the entire day it is also **כשר**. The **גמרא** asks, once you taught that even if the **שליח** is **בבית** and the **סופר** is **בעליה** it is **כשר** then certainly if the **שליח** entered and left the room of the **סופר** continually, it would certainly be **כשר**. Our **תוספות** anticipates an apparent answer to this question and rejects it.

תוספות offers the anticipated answer:

לא בעי למימר דאפילו נכנס ויוצא בבית קאמר -

The **גמרא** **did not want to** answer the question by **saying that** the phrase: **‘even if the שליח enters and leaves’**, does not mean he enters and leaves the room where the **סופר** is, but rather **it means** the **שליח** enters and leaves **the house**. If that is what it means then we cannot derive it from the **דין** that **הוא בבית וסופר** is **כשר בעליה**. This is a greater **חידוש** for he was not even **בבית** all the time.

תוספות rejects this answer. We cannot say that **יוצא ונכנס** means leaving and entering the house –

דיוצא ונכנס משמע למקום שהסופר כותב:

Because the phrase **יוצא ונכנס** **implies**¹ that he was a **יוצא ונכנס to the place where the סופר was writing** the **גט**.

SUMMARY

The phrase **יוצא ונכנס** implies that he entered and left the place where the **סופר** was writing the **גט**.

THINKING IT OVER

תוספות writes that **יוצא ונכנס** means to the place where the **סופר** is writing.² If this is indeed so how can the **גמרא** interpret **יוצא ונכנס** to refer to the **סופר**?³

¹ The idea of ‘entering’ or ‘leaving’ is in reference to the place where one should be. Entering and leaving into or from other places is irrelevant. See ‘Thinking it over’.

² See footnote # 1.

³ See אמרי בינה.