

היו שנים רואים אותו מחלון זה ושנים מחלון זה וכולי –

There were two people observing him from this window and two from this other window, etc.

OVERVIEW

The משנה state if the עדים saw the act from two different windows, it depends; if the עדים can see each other, it is considered as one set of עדים; however if they cannot see each other, it is considered as two separate עדות. Our תוספות confirms the correct גירסא in the משנה.

ולא גרסינן במתניתין¹ אחד בחלון² זה³ וכולי:

The text in our משנה does not read; ‘one in this window, etc. (and one in the other window)’, but rather two from this window and two from this window.

SUMMARY

The correct גירסא (in our משנה) is שנים מחלון זה ושנים מחלון זה.

THINKING IT OVER

Why does תוספות find it necessary to point out the correct גירסא; why would we have thought otherwise?!⁴

¹ In the following גמרא we find רב זוטרא בר טוביא discussing a case of וא' מחלון זה וא' מחלון זה.

² Others amend this to read מַחְלוֹן (instead of חֶלְיוֹן)

³ The משנה cannot be discussing a case of one observing from one window and the other from another window, for how can the משנה conclude; ‘if they cannot see each other they are considered as two sets of עדים’, since there is only one עד in each set, it is not an עדות at all.

⁴ See footnotes # 1 & 3.