

[וקסבר¹ בעל הבית נתקנה עיסתו כולי –

And the homeowner assumes his dough has been fixed, etc.

Overview

The גמרא offered two explanations why the ruling regarding חלתו קמה that it is מעות מתנה שמואל that גזל ביד כהן, does not contradict the ruling of מותר דכהן. Both explanations assume that the כהן and or the ישראל assume that the reason we are not גזל ביד כהן from קמה is because of טרחא דכהן. The first answer is that it is גזל ביד כהן because of חורבא דכהן that he may combine this 'חלה' with his own flour and not be שיעור חלה since without this חלה he does not have חלה. The second answer is that the ישראל may eat from the dough remaining after his assumed חלה. In both cases the concerned party assumed that the כהן was מוחל his טרחא and therefore it is a valid חלה. Seemingly the second concern (regarding the ישראל) is more probable than the first concern (regarding) the כהן.² Our תוספות explains why, nevertheless the first answer was regarding חורבא דכהן.

מעיקרא אוקמא משום חורבא דכהן ולא אוקמא משום בעל הבית -

Initially the גמרא established the ruling of גזל ביד כהן on account of חורבא דכהן (which is not as likely to happen), and did not establish it because of the בעה"ב (which is seemingly more likely to happen) -

משום דכהן גופיה ידע אי מחיל³ אבל בעל הבית לא ידע דמחיל כהן]. תוספות ישנים:

Because regarding the כהן, he himself knows whether he was מוחל (therefore the concern is greater), however the בעה"ב does not know whether the כהן was מוחל his טרחא]. The above is from תוספות ישנים.

Summary

The assumption that the flour is חלה is greater by the כהן than by the ישראל.

Thinking it over

Why indeed does the second answer assume that the ישראל thinks the כהן was מוחל his טרחא?

¹ This תוס' ד"ה מן הנקוב should follow the תוספות.

² [Why should we assume that לא ציית?]

³ It may be more likely that the ישראל will eat the remainder of the flour from which he separated חלה, than that the כהן should mix this flour with his other flour, nevertheless the probability that one should think that this flour is valid חלה, is much greater by the כהן (who knows that he is מוחל) than by the ישראל (who does not know whether the כהן is מוחל).