

מי אמרינן היינו הא דעל היינו הא דנפק –

Do we say, the same one that entered is the same one that left

OVERVIEW

רבא posed a query in a case where a mouse entered a house with a loaf in his mouth and a mouse was subsequently seen exiting the house with a loaf in his mouth. Are we to assume that it is the same (mouse and) loaf or not. תוספות argues that this query is valid even according to רשב"ג who generally maintains that we do not assume that what is found is what was lost.¹



ואפילו לרבן שמעון בן גמליאל דאמר תיבדק כל השדה כולה –

And even according to רשב"ג who maintains that ‘the entire field must be searched’; seemingly here too he would maintain that the house must be searched to ascertain there is no חמץ, despite the fact that we see a mouse exiting with a ככר. Nevertheless it is not so; there is a difference between this case and a קבר שדה שאבד בה קבר, for –

הנא רגלים לדבר² שהרי הוא עם הככר:³

Here there is an indication that it is the same mouse, **for the exiting mouse is together with the loaf.**⁴ However by a קבר שדה שאבד בה קבר there is no indication that the קבר we found should be the קבר that was lost.

SUMMARY

The תוס' of רבא is valid even according to רשב"ג, for in this case he can entertain the idea that היינו האי דעל וכו' since there is רגלים לדבר.

THINKING IT OVER

The main issue seems to be whether it is the same loaf; not whether it is the same mouse. Why therefore does תוספות say that here there is רגלים לדבר since הוא עם הרי? תוספות should have said there is רגלים לדבר that it is the same loaf since הוא עם העכבר!

¹ See the following (complementary) ד"ה או תוספות where תוספות discusses whether the other side of the query is valid according to רבי (who argues with רשב"ג).

² See תוספות ד"ה מפני.

³ See ‘Thinking it over’.

⁴ It would be highly improbable that a different mouse and a different loaf exited after a previous mouse entered with a loaf. It is most likely that it is the same mouse and loaf.