

Or perhaps it is a different one

או דילמא אחרתא הוא –

OVERVIEW¹

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 רבי who maintains שמצא קבר שאבד הוא קבר.



ואפילו לרבי דאמר² הוא שנמצא הוא שנאבד –

And even according to רבי who maintains that we assume; the one that was found is the one that was lost; therefore seemingly here there should be no query for since we found a mouse exiting with a loaf it is assumable that this is the same one that entered since we generally assume שנמצא הוא שנאבד. However תוספות rejects this and maintains that nevertheless -

הכא חיישינן דמסתמא הראשונה נשאר בבית³ והוה אחר שיצא:

Here רבי might admit that we are concerned that it may not be the same mouse, for presumably the first mouse remained in the house and this one who exited is another mouse. However concerning graves since there is only concern about one grave which was lost (which is known to us) it is likely that קבר שמצא הוא קבר שאבד.

SUMMARY

The איבעיא of רבא is valid even according to רבי for here there is a greater concern that it is a different mouse that exited.

THINKING IT OVER

How can we justify the fact that in these last two תוספות we are offered contradictory assumption concerning whether it is or it is not the same mouse (and loaf)?!⁴

¹ This תוספות complements the previous ד"ה מי תוספות in explaining that רבא's query is valid both according to רשב"ג and רבי.

² See שדה שאבד בה קבר in רבי ורשב"ג concerning the dispute between א' עמוד.

³ Presumably the mouse entered the house with the loaf to either eat it there or hide it there, why would he leave the house? Therefore there is room to doubt that perhaps it is a different mouse and a different loaf.

⁴ According to רשב"ג we argue that even though generally he assumes it is not the same, however here it may be the same (for רגלים לדבר that it is the same), and according to רבי who generally maintains that it is the same, here however it is possible that it is not the same (even though תוספת just argued that here there is רגלים לדבר that it is the same).