



Discarded Cloths

The *Mishnah* (27:11) teaches that if one finds a three by three *tephachim* (hand-breadths) sized patch in a rubbish heap, then it is *tameh* (susceptible to *tumah*) if it is both complete and capable of holding a *rova kav* of salt. If either of these characteristics do not apply, then the cloth is *tahor* and not susceptible to *tumah*. The *Bartenura* explains that this is because it is no longer considered a *beged* (garment).

The *Mishnah Achrona* understands that really on a biblical level, once the garment is thrown out it is *tahor* irrespective of its structural state. Indeed if it was three by three *ezba'ot* (finger-breadths) we learn (27:12) that it is *tahor* if it is thrown out. This is because the only reason it was susceptible to *tumah* in the first place was because it had a use as a patch. Once it is discard, it loses any importance it had.

The *Mishnah Achrona* however continues that concerning a complete garment, if it is thrown out, it is still defined as a *beged* and continues to be susceptible to *tumah* (*Shabbat* 26). In short,

there is a difference if it was a *beged* or a simple cloth.¹

The reason why our *Mishnah* differentiates between the states of the cloth is that once the cloth is both strong and can hold that amount of salt it has a substantial form. On a rabbinic level it is ruled as being *tameh* as it may be confused with a *beged* which otherwise may subsequently be given the same ruling. No such mistake would be made regarding a small patch that is three by three *etzbaot* explaining why all small patches found in the rubbish heap are *tahor* regardless of their structural state. Put simply, there is not reason to make a *gezeira* in that case.

The *Mishnah Achrona* raises a question on the *Tosfot* who explains that a small patch (three by three *etzboat*) that is found in a rubbish heap is considered *tameh*. The claim appears contradict next *Mishnah* that rules in the reverse. He suggests that perhaps the *Tosfot* maintains that the patch is only *tahor* if was intentionally discarded. If however it was simply found there, the status of a *beged* has not yet been removed.²

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¹ The *Mishnah Achrona* continues that even though the *Tosfot* understands that a cloth that is three by three has the status of a *beged*, this is only while it is in the home, prior to being discarded.

² The *Mishnah Achrona* admits that the explanation is difficult since the *Tosfot* writes, “even if it is found in a rubbish heap it is *tameh*”. If he is not referring to where it was intentionally discarded, then it should be no different to if the patch was still in his house. In such a case it is obvious that it is *tahor* so the language of “even” is difficult to understand.

Revision Questions

ח: ז"כ סילכ – ט: ח"כ

- Regarding the previous two questions how is the law different if the patch originally became *tameh mei?* Explain. (ח: ז"כ)
- Explain the debate regarding a sheet that was *tameh midras* then used as a door-curtain. (ט: ז"כ)
- What other case is debated in the same manner? (י: ז"כ)
- What are the two conditions for cloth of the minimum measure to be susceptible to *tumah*? Explain the debate regarding one of the requirements. (א"י: ז"כ)
- When is it required for both to be fulfilled and when is it enough for only one to be fulfilled? (א"י: ז"כ)
- When is a torn cloth of the minimum measure still susceptible to *tumah*? (ב"י: ז"כ)
- Complete the following phrase: תאמטם _____ הטרחתם _____ סלולעל.
- What are the three opinions regarding the scope of this statement? (ב"י: ז"כ)
- What is the difference between cloth that was three by three *etzba'ot* and three by three *tephachim* that was used to stuff a ball? That was made into a ball? (א: ח"כ)
- What are the three opinions regarding cloth, less than three by three handbreadths, that was used to hold a pot when cleaning? Explain the debate. (יב: ח"כ)
- What other cases are debated in the same manner? (יב: ח"כ)
- What is the difference between an *isplanit* and a *melugma* regarding when they are susceptible to *tumah*? (Include both opinions.) (ג: ח"כ)
- What are the three opinions regarding the susceptibility to *tumah* of material book coverings? (ד: ח"כ)
- Complete the following rule: (ה: ח"כ) אמרת _____ והנש לברוחת, _____.
- Provide some examples for the previous rule. (ה: ח"כ)
- What is the law regarding a patch that was *tameh midras* that was used to patch a basket? (ו: ח"כ)
- What is the law regarding the patch and basket if it was then removed? (ז: ח"כ)
- How is the law different if it was used to patch clothing? (ח: ח"כ)
- Explain the debate regarding a cloth patch which was used to patch clothing made of leather or sacking. (ו: ח"כ)
- Explain the debate of how the three by three fingerbreadth measure is measured. (כ: ח"כ)
- When is a patch considered attached to clothing? (Include all three opinions.) (ז: ח"כ)
- What is different about *bigdei ani'im*? (ח: ח"כ)
- When are the parts of torn clothing no longer considered attached? (ח: ח"כ)
- To which cloth does the three by three fingerbreadth measure not apply? (ח: ח"כ)
- Are the following susceptible to *tumah* and if so which *tumah*? (ט: ח"כ)
 - A pad used by carriers?
 - Clothing made of fish netting?

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SHIUR ON KOL HALOSHON

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שדוק תבש
15 th March ד"כ רדא	16 th March ה"כ רדא	17 th March רדא ו"כ	18 th March רדא ז"כ	19 th March רדא ח"כ	20 th March רדא ט"כ	21 st March אונסין
Keilim 28:10-29:1	Keilim 29:2-3	Keilim 29:4-5	Keilim 29:6-7	Keilim 29:8-30:1	Keilim 30:2-3	Keilim 30:4 – Ohalot

