

We derive from it that ואלו תנן

שמע מינה ואלו תנן –

### Overview<sup>1</sup>

The גמרא resolved s'אביי query by citing the ברייתא which stated 'אין פולין וכו' ואלו מן 'ההלכות וכו'. Our תוספות explains how this resolved the query.<sup>2</sup>

דלא<sup>3</sup> קתני בתר הכי<sup>4</sup> כדקתני במתניתין:

The proof that we are referencing the previous משניות is **since no** other הלכות **are taught after this** in the ברייתא [not] **as is taught in the משנה**, where other משניות are taught in this פרק following the משנה of ההלכות.

### Summary

The proof from the ברייתא is since it does not mentions subsequent הלכות.

### Thinking it over

Can we say that רש"י ור"ת also agree with this תוספות that the proof is בתר כדלא קתני בתר הכי (and not as is suggested in footnote # 3)?<sup>5</sup>

<sup>1</sup> See 'Overview' to previous תוס' ד"ה רש"י.

<sup>2</sup> It is still possible that the ואלו is referencing the later rules which (perhaps) are mentioned in this ברייתא. It should be noted that this ברייתא is also cited previously on יג,ב and there the גירסא is אלו (not ואלו).

<sup>3</sup> According to רש"י ור"ת (mentioned in the previous תוס' ד"ה רש"י), the proof is simply since the ברייתא writes ואלו (with a וי"ו) which indicated that it is referencing the previous statement. [See however footnote # 2.] However according to the ר"י who questions this rule (that הראשונות על הראשונות and אלה פסל את הראשונות [see previous תוס']), there is no proof from the ברייתא writing ואלו, since ואלו can perhaps also be referencing the future statements, and additionally one may question whether the גירסא in the ברייתא is אלו or ואלו (see footnote # 2).

<sup>4</sup> The ברייתא concludes with ואלו (or אלו) and does not mention any other הלכות (except those which were mentioned in the beginning of the ברייתא, namely 'אין פולין וכו'); this proves that that in our משנה as well the 'ההלכות וכו' is referring to the previous משניות (but not to the following משניות).

<sup>5</sup> See מהר"ם.