**Tevul Yom, Chapter Four, Mishnah Seven**

**Introduction**

The final mishnah of Tevul Yom deals with a tevul yom who is separating terumah from a cistern.

**Mishnah Seven**

1. If one was taking terumah from a cistern and said: "Let this be terumah provided it comes up safely," [it is implied that he meant] safely from being broken or spilled, but not from becoming impure;
   1. But Rabbi Shimon says: also from impurity.
2. If it were broken, it does not render [the contents of the cistern] subject to the restrictions of terumah.
3. How far away can it be broken and still not make [the contents of the cistern] subject to terumah restrictions? Only so far that if it rolls back, it can reach the cistern.
4. Rabbi Yose says: even if one had the intention of making such a stipulation, but did not do so, and it broke, it does not make the [contents of the cistern] subject to terumah restrictions, for this is a stipulation laid down by the court.

***Explanation***

**Section one**: The person was taking terumah from a cistern of wine. He wanted to dip a jug into the cistern, declare the contents of the jug terumah and then have the remainder of the cistern become drinkable. He stipulated that it would be terumah only if the jug came up "safely." The question is what does "safely" mean.

The first opinion holds that "safely" means that the jug didn't break or its contents spill. If the jug did break and the wine fell back into the cistern, it wouldn't give the contents of the cistern the status of terumah and hullin mixed together.

However, if he accidentally disqualified the terumah wine (because he was a tevul yom) then his terumah is terumah and it will be disqualified (what the mishnah calls—made impure).

Rabbi Shimon rules more leniently. His intention of saying "safely" was that even if the contents should be defiled, the separation of terumah wouldn't count. If he brought up the jug and accidentally defiled the wine, the jug would not be terumah.

**Section two**: If the jug broke and the contents fell back into the cistern, then the contents of the cistern are not considered to have terumah in them. That is they don't have the rules of doubtful terumah due to the jug's contents, because the jug wasn't terumah.

**Section three**: The question now is—for how long does this stipulation last? In other words, how far away from the cistern can the jug go and still not be considered terumah if it is broken. The mishnah rules that if the jug breaks when it is still close enough to the cistern that it could roll back there in one push, then the terumah is not terumah. But if he takes it further away, and then it breaks, the terumah does count as terumah. If some of it falls into the cistern, the contents of the cistern will have to be considered doubtful terumah.

**Section four**: Finally, the mishnah rules that even if he didn't specifically stipulate that the contents had to come up safely for them to be terumah, the stipulation is still valid. This is because it is a "court stipulation"—it is something that the court dictates is understood even if not stated explicitly. A person, after all, would only benefit from making such a statement.

**Congratulations! We have completed Tractate Tevul Yom!**

As I always write, it is a tradition at this point to thank God for helping us finish learning the tractate and to commit ourselves to going back and relearning it, so that we may not forget it and so that its lessons will stay with us for all of our lives.

One thing that you might have been wonder about while studying this tractate was what made the sages so interested in this category. Of course you probably know by the now that the answer will not be practical—i.e. this was a commonly occurring issue. Rather, I think this is another example of the sort of topic that really interested the rabbis—in-between or marginal cases. The tevul yom is sort of pure, for s/he has already been to the mikveh. But s/he is also impure because the sun hasn't set. This type of category seems to have immensely interested the sages, and although we tend to prefer to see practical ramifications for everything the rabbis said, the truth is that much of rabbinic literature, and especially the Mishnah, is interested in the theoretical and not the practical.

As always, a hearty yasher koach upon completing the tractate and keep up the good work. Tomorrow we begin Yadayim.