

And that this place is a *Bais Hapras*

ושהמקום הזה בית הפרס –

OVERVIEW

The חכמים enacted that if a grave was plowed over; an area of one hundred אמות from the grave is טמא because the plow may have dragged the bones that far. This entire area is called בית הפרס.¹ Our משנה is discussing a case where we do not know the exact area of this בית הפרס; we only know that a grave was plowed over in this field. בית הפרס explains what the testimony was regarding this field.²

Tosfos explains that he testified that the בית הפרס extended only to a certain point -

ולא יותר ובא לטהר:³

And no more; and he came to testify in order to purify an extended area which was in doubt.

SUMMARY

The testimony of בית הפרס was לקולא.

THINKING IT OVER

1. What would be if the testimony was לחומר; would he be believed?⁴
2. Is it possible to explain the משנה that the testimony was לחומר?⁵

¹ It is called בית הפרס either because of the broken bones (פרס meaning broken; רש"י), or because the feet of people (פרסא) cannot walk there (תוס'), or because the טומאה spreads out (פריסה) over the area (רמב"ם).

² It is possible that he is testifying לחומר that a certain area is a בית הפרס (which was unknown to us), or he could be testifying לקולא that this large area which was considered a בית הפרס, is limited to a specific area.

³ The גמרא states that we believe his testimony regarding the בית הפרס, since בית הפרס is only a טומאה מדרבנן; this indicates that he was testifying לקולא (but not לחומר) and nevertheless he is believed. If he was testifying לחומר he would (seemingly) surely be believed if it is טומאה דאורייתא. See 'Thinking it over' # 2.

⁴ See מהרש"א.

⁵ See משכנות הרועים אות תתקנב and רא"ה.