

## 2.1.4

5a (המושיט והזורק חייב) → 6a (אמר רבי אבין א"ר אילעאי אמר ר' יוחנן)

- I. 3 rulings of ר' יוחנן in reference to function of יד in הוצאה – quoted by אבין ר' –
- a. (also ברייתא in אחרים, per above): if he threw an object to another (traversing the domains)
    - i. If: the other stood still and caught it, the thrower is חייב
    - ii. But if: the other left his place to catch it, he is (both are) exempt
    - iii. ר' יוחנן's query: what if he threw it, ran and caught it elsewhere himself – is he liable?
      1. Explanation of question: do we regard two functions in one person as virtually two people (→ פטור)
        - a. Or: do we regard it as essentially one person (→ חייב) – תיקו
  - b. If: he stretched his hand into another's courtyard, received rainwater in his hand and brought it out – חייב
    - i. Challenge (ר' זירא): why is being "laden" by the heavens different than being laden by a fellow (פטור)? In neither case did our subject perform the עקירה?
      1. Defense: read "קלט" (he collected) rather than קיבל (implying getting water directly as it falls)
      2. Challenge: we require an עקירה from a substantial resting place (4x4)
        - a. Answer (ר' חייא בריה דר' הונא): he collected it from atop a wall
          - i. Challenge: in that case, it never came to rest
          - ii. Answer: per רבא's explanation (elsewhere) – it refers to a slanted wall
            1. Note: רבא's statement is an explanation to יג: עירובין יג:
              - a. עירובין יג: if he was reading a scroll on a veranda and it rolled out of his hand, he may roll it back to him
              - b. If: he was reading atop a roof:
              - c. If: the scroll was till over טפחים י' off the ground, he may roll it back up
              - d. But if: the scroll was now under טפחים י' from the ground (in רה"ר) – turn it over there
              - e. And: we asked why he cannot roll it back up – it never came to rest
                - i. רבא reference is a slanted wall (where it rested on wall)
      - iii. block: רבא's interpretation was re: a scroll, that rests – water doesn't "rest" on slanted wall
    - b. Rather (רבא): case where he collected the rain water from a hold in the ground (filled with water)
      - i. Challenge: this should be obvious
      - ii. Justification: we might have thought that water isn't considered "at rest" atop water – קמ"ל
        1. Note: רבא follows his own ruling – that water is at rest on water, a nut on water is not at rest
          - a. רבא's query: if a nut is in a כלי and the כלי is floating on water – is nut "at rest"?
            - i. Do we: look at nut, which is at rest in כלי, OR
            - ii. Do we: look at כלי, which is not at rest (floating on water)? – תיקו
        2. Related note: oil atop wine is a dispute ריב"נ/חכמים (in re: contact of טב"י with oil and its impact on wine) – in טבול יום ב:ה
  - c. If: he was laden with food (e.g.) and went in and out all day – פטור until he stands still
    - i. אבין: only if he stands to rest (not to adjust the pack)
    - ii. source: from ruling – if he stood to rest within ד"א, פטור; if to adjust pack – חייב (when he continues)
      1. but if: he stood to rest outside of ד"א – חייב; to adjust pack – פטור (if he doesn't stop again)
    - iii. challenge: if this is teaching that the original עקירה had to be for the achieved purpose to be חייב, ר"י already issued the ruling (per ר' אמי ר' – ר' ספרא בשם ר' אמי) – if he was moving objects from corner to corner and then changed his mind and took them outside – he is פטור, since his original עקירה was not for that purpose
      1. answer: each חכם repeated ר' יוחנן's ruling in their own formulation
- II. ברייתא: if he carried from a store, through the portico to the public domain – חייב; חייב בן עזאי exempts
- a. בן עזאי: is understood – he holds that walking is tantamount to coming to rest
  - b. חכמים: what is the model for חייב here?
    - i. Answer1 (ר' יוחנן): just as carrying in רה"ר – until he comes to rest, פטור; once he comes to rest – חייב
      1. Challenge: in that case, wherever he stops is מקום חייב; here, if he stopped in the סטיו, he'd be פטור
    - ii. Rather: just as someone carrying ד"א ברה"ר – not חייב until he reaches the ד"א
      1. Challenge: incomparable; the intermediary space is objectively מקום חייב unlike the סטיו
    - iii. Rather: just as someone carrying from רה"י to רה"ר through רה"ר צדי רה"ר (e.g. quasi-public area before store)
      1. Challenge: that is only valid according to חכמים, who don't regard רה"ר as צדי רה"ר; but רב"י does equate them
      2. Answer: רב"י agrees that if there are little poles blocking צדי רה"ר from רה"ר, it is a כרמלית → that's the model
    - iv. בן עזאי ד' יוחנן agrees that if he throws it, he is חייב
      1. Supporting ברייתא: same as ברייתא above – but includes ומושיט ב"ע; זורק ב"ע agrees in those 2 cases that he is חייב