

2.11.6

101b (סיום הפרק) → 102a (ספינות קשורות וכו')

7. וְכָל אֲשֶׁר יִגַע עַל פְּנֵי הַשָּׂדֶה בְּחַלּל חֶרֶב אוֹ בְּמַת אוֹ בְּעֵצִים אֲדָם אוֹ בְּקֶבֶר יִטְמָא שְׂבַעַת יָמִים: בְּמַדְבַּר יֵט, טו

- I. Concluding analysis of משנה ה: if ships are tied together, may carry from one to the other
- a. Challenge: this is obvious
 - i. Answer1 (דבא): intended to include a little boat between them
 1. Challenge (ר' ספרא): phrase is מוטלילן מזו לזו – not to permit a ביצית between them
 - ii. Answer2 (ר' ספרא): means that they must make an עירוב (since boats are owned by different people) to carry
 1. Per: ברייתא – if boats are tied together, we make an עירוב and they may carry from one to the other
 - a. If: they got untied (during שבת) – they may no longer carry
 - b. And if: they got reattached – even במזיד – the original היתר is restored
 - i. Similarly: if mats were used as a מחיצה and were rolled up – not usable; if reopened – may use
 1. Reason: any מחיצה made on שבת is a valid מחיצה
 2. Challenge: ר"נ read the above as applying לחומרא (if someone throws from inside to רה"ר (חייב – רה"ר)
 - a. But: may not carry inside of that area
 - b. Answer: ר"נ was referring to a case where מחיצה was made במזיד to forbid use
 - b. שמואל: even if the boats are tied with a thin string
 - i. Observation: if it holds them – should be obvious; if not – why should it be valid?
 - ii. Answer: it is strong enough to hold them; שמואל is distinguishing between שבת and טומאה
 1. In re טומאה ח: אהלות ח: – if he tied a boat with something which holds it, that is contact for טומאה
 - a. חלל: חרב) 1. per v. 1 (חלל: חרב)
 - i. But: in re: שבת, only requires something which holds it as a היכר → even חוט הסרבול is sufficient
- II. משנה ו: requirement of complete מלאכה being done בשגגה for liability for טטאת
- a. If: he threw an item and remembered (שבת or the מלאכה) after it left his hand
 - i. And then: it was caught by another person, a dog or got burned up – he is פטור
 - b. Or if: he threw an item in order to harm man or beast and remembered (איסור חבורה) before it caused חבורה – חבורה
 - c. rule: all מיזיד are only liable if beginning and end happen under שוגג – if end or beginning is מיזיד - exempt
- III. Analysis: implication of משנה – if it had come to rest, even though he remembered beforehand, still חייב
- a. Challenge: rule in משנה stipulates that no חייב if part was במזיד
 - i. Answer1 (ר' כהנא): the סיפא is addressing a case of something thrown where he holds base in hands
 1. Challenge: in that case, he is still holding it – no חייב at all
 2. Defense: he is throwing it to wound someone (not to move it elsewhere)
 - a. Challenge: that is explicitly mentioned in 2nd case in משנה
 - ii. Answer2 (דבא): rule at end of משנה is about מעביר (carrying, rather than throwing)
 1. Challenge: rule is about זריקה
 - iii. Answer3 (דבא): משנה is addressing two cases: if he remembered after it left his hand (and rested) or another caught it (without his remembering) – in both cases, he is exempt
 - iv. Answer4 (ר' אשי): משנה – if he remembered and then it was caught by another/dog/burned – פטור
 1. However: if it landed and came to rest – he would be liable
 - a. Limitation: this is only if he again forgot; if not, he is exempt, as per the rule...
 - b. מימרא: 2 בשוגג 2 במזיד then 2 בשוגג רבה – רבה exempts and רבה finds liable
 - i. דבה. even רשב"ג (אין ידיעה לח"ש) would agree – in that case, he finished בשוגג here, he reached ד"א as מזיד
 1. Therefore: case must be מעביר; if זורק, he didn't complete it במזיד
 - ii. דבא. even רבנן (יש ידיעה לח"ש) would agree – in that case, he had control over it
 1. Therefore: case must be זורק; if מעביר, he also has control over it here
 - c. דבה. if he threw an item and it came to rest in a dog's mouth or in an oven – liable
 - i. Challenge: our משנה uses those as examples of exemption
 - ii. Answer: in our משנה, he didn't intend it to land there – but here, he did
 1. Support: כריתות ג:ד – could eat 1 item and be liable 4 חטאות & 1 אשם (כ"כ) אשם 1 & חטאות 4
 - a. ד"מ. if שבת and he carried out בפיו, liable for a 5th חטאת as carrying (חכמים: true but irrelevant)
 - b. Note: carrying with the mouth is not הוצאה דרך (אג, יג) – why is he liable?
 - c. Answer: since he intended it, made it דרך; similarly, since he aimed at dog's mouth – חייב