

3.1.3

4b (היה גבוה) → 6a (דליכא גידודי)

I. Discussion: Correcting the size of the מבו

a. *if*: Height is greater than 20 – raise the floor level below to close the חלל to within 20i. *question*: what length must be raised?

1. טפח ד' יוסף

2. טפחים 4 אביי

a. *Proposal*: dispute - may one carry under the קורה (which is טפח wide)i. *Rejection*: perhaps all agree that one may carry underneathb. *Rather*: is היכר a יוסף (ר' יוסף) or a מחיצה (אביי)i. *Rejection*: perhaps all agree that it is a היכרc. *Rather*: does היכר on ground need to be bigger than היכר above (טפח) or the same (ר' יוסף)i. *Rejection*: perhaps they agree that היכר below is like היכר aboved. *Disagreement*: whether we have גזירה that mound may be diminished → ד"טb. *If*: height is less than י"ט – must carve into floor to create air space of 10i. *יוסף*: carve width of ד"ט – minimum size of a מבוii. *אביי*: carve width of ד"א – minimum size of a מבו is ד"א1. *Proposal*: they disagree about whether to accept אסי ור' אמי ור' אסי's rulinga. *ד"א ור"א*: allow ד"ט of a remaining wall to be considered מבוi. *אביי*: they only rule that way once a מבו is established; they would agree that to set up – ד"א2. *Support (for אביי)*: ברייתא: a מבו can only be מותר if it has multiple בתים and חצרות opening into ita. *Cannot be*: that it opened up on the middle wallb. *ד' יוסף*: each חצר could open on the diagonal corner – still have ד"ט of length of the מבו3. *Support (for אביי)*: הונא: ר' – a לחי wider than ד"א is no longer a לחי – it's a מבו (and requires a 2nd לחי)a. *ד' יוסף*: to lose identity as "לחי", requires ד"א, but size of minimal מבו is ד"ט

II. Revisiting הונא's ruling – that a לחי wider than ד"א sticking out from the wall requires another לחי to be מתיר

a. *Question*: where is that second לחי placed?b. *Cannot be*: that he adds to the same side – then he's just making the (problematic) לחי longeri. *ד"פ*: he places it on the opposite side of the מבו, facing the extended לחיii. *הונא בריה דר"י*: could even be on same side as long as he makes it distinct (longer, shorter, etc.)c. *הונא בריה דר"י*: this ruling only applies if מבו is 8 wide (or more); if 7 wide, the "לחי" that is 4, it is מותרi. *Reason*: we have מרובה עומד על הפרוץ (there's more wall than space)ii. *Inferred from חצר*: if חצר, which cannot be "fixed" with לחי/קורה, is permitted when עומד על פרוץ1. *Then*: certainly מבו, which allows for לחי/קורה, should be permitted with עומד על פרוץ2. *Break*: חצר allows for a breach of up to 10 אמות מבו; only allows for a breach of ד"אa. *Defense*: he may hold that בעשרה מבו בעשרה (like חצר)d. *ד' אשי*: this ruling applies even if מבו is exactly 8 אמותi. *Reasoning*: if לחי < 4 – it's a לחי; if לחי > 4 – מרובה עומד על פרוץ; if exactly 50% - ספק דרבנן - לקולא

III. רב's ruling re: status of מבו with a breach in the wall

a. *If*: the breach is on the side – 10 אמות; if at the entry – אi. *challenge*: if we allow 10 on side as we consider it an opening, consider it an opening at entry (allow 10)ii. *answer (ר' הונא בריה דר"י)*: if it opened on corner of מבו (קרן זווית), where no one generally makes a פתחb. *Dissent*: הונא: ד"א – ר' הונא whether on side or entry – and he claimed that רב agreed with him (דמחריא in פסק)i. *רב*: חנן בר רבא was overly stringent with the people in דמחריא (no proof from that incident) they were laxc. *Support for הונא*: רב/שמאל dispute about a crooked מבוi. *רב*: considers מפולש – requires צוה"פ on each side, or one at crook and לחי/קורה at each endii. *שמאל*: considers it סתום – requires only לחי/קורה1. *Observation*: must be an opening of 10 (at crook) or less (else שמאל wouldn't regard as סתום)2. *Yet*: רב considered it as מפולש (→ פרצה from the side is ד"א)3. *Block (רב חנין)*: that is a public throughway, unlike case of ר' אמי who allows a breach of 10 –a. *Reason*: in that case, there were remains of the wall (גידודי) defined it as פתח; keeps people out