

3.1.9

11b (משנה ב) → 12b (גידודי)

I. הכשר מבוי (סתום): משנה ב.

- a. **קורה** (קורה) requires upright (**לחי**) as well as a crossbeam (**בית שמאי**)
 - i. *Inference*: רה"י hold that there is a מה"ת requirement of 4 מחיצות to establish רה"י
 - ii. *Rejection*: to be liable for throwing into an area – 3 מחיצות make it רה"י; require 4 in order to carry inside
- b. **קורה** (קורה) requires either לחי or קורה
 - i. *Inference*: רה"י hold that there is a מה"ת requirement of 3 מחיצות (2+ לחי or קורה) for רה"י
 - ii. *Rejection*: to be liable for throwing into an area – 2 מחיצות make it רה"י; require 3 in order to carry inside
- c. **לחיין** (לחיין) requires two לחיין
 - i. *Question*: does he require 2 לחיין and a קורה, or no קורה?
 - ii. *Answer*: ר' יוסי put a 2nd לחי on the מבוי – תוספתא עירובין א:ב-ג
 1. *Question*: "do I need to seal the מבוי"? (→also a קורה)
 2. *Rejection*: of inference – perhaps "לסתמו בלחיין" is what was meant
 - a) *Answer*: ר"א didn't require *anything* for a מבוי of less than ד"ט
 - b) *Challenge*: in our משנה, we rejected that report
 - i. *Rather*: רשב"ג means that all agree that if it is ד"א – only need לחי OR קורה
 1. *And*: if less than ד"ט wide, needs nothing
- d. **קורה** (קורה) requires לחי OR ד"א – only לחי OR קורה
 - i. *Disagreement*: if greater than ד"א (but opening less than 10 אמות) – ר"ע – they disagreed about both
 1. *Observation*: under assumption that the referent is מבוי מפולש, this follows neither ת"ק nor חנניה (above)
 2. *Correction*: referent is מבוי סתום

II. Application of ר' אליעזר's ruling to a breached courtyard

- a. **ששת** (ששת) agree with ר' אליעזר that in case of a breach in the courtyard, require 2 לחיין
- b. **נחמן** (נחמן) we rule like ר' אליעזר (implying dissent) in case of a breach in a חצר
- c. **בריייתא** (בריייתא): a חצר is permitted with one פס (at odds with ר"א); רבי requires 2 (ר"א accepts רבי)
 - i. **פסין** (פסין) a חצר requires 2 פסין
 1. **זירא** (זירא) ruled that פסי חצר must be ד"ט wide
 - a) *Cannot mean*: 2 פסין of ד"ט each, since we posited that the "small חצר → large חצר" case was a differential of 1 אמה; and if there are 2 פסין of ד"ט each, that is more than an אמה
 - b) *Answer* (זירא, after his travels): if 1 פס – ד"ט; if 2 – any size is enough
 - i. *Note*: רבי's take that the חצר is 1 אמה smaller – is per רבי, who requires לחי of 3 פסחים
 - ii. **שמואל** (שמואל) a חצר needs only 1 פס
 1. *Challenge* (אב"י): שמואל ruled that a חצר isn't permitted unless most of the wall is up or 2 פסין
 2. *Answer* (רב יוסף): case in דורותא where the river breached the wall and יהודה only required 1 side up
 - a) **אב"י**: that is a unique case – there is a general leniency where the breach is water
 - i. *Support*: רב disallowed a hanging מחיצה except in case of water (קל הוא שהקילו במים)
 3. *Answer*: if one פס – needs to be ד"ט; if 2 – any size
 4. *Challenge* (ר"פ): why did שמואל require a majority of the wall – ד"ט is enough
 - a) *And*: if we suggest that the wall is 7 – then only require 3+ (so the פירצה is less than ד"ט)
 - b) *Answer*: perhaps we don't accept the minimum of ד"ט for a חצר (only for מבוי)
 - i. *Or*: perhaps the down-limit of ד"ט is not universally accepted
 - iii. **בריייתא** (בריייתא) if a חצר is breached by water, and breach is wider than ד"ט, may not use that water without a מחיצה of ד"ט
 1. *However*: if breach is 10 – no מחיצה needed to fill it up
 2. *Implication*: even if breach > 10, still allowed to carry there
 - a) *Challenge*: it's open to an area which is אסור (the sea – כרמלית)
 - b) *Answer*: if there are shards of the wall (גידודי), we allow carrying