

3.2.5; 23a (משנה ה) → 24b (אכריא דפירי)

Note: our סוגיא refers to the oft-mentioned "בית סאתיים"; this is an area of 5000 square אמות, or  $70 \times 70 +$

1. ארץ הקצר מאה באמה ורחב חמשים בחמשים וקמה חמש אמות עש משזר ואדניהם נחשת: שמות כו, יח

- I. משנה ה:
- a. Residency requirements: ב"ס requires that a קרפף, even if only ב"ס, have human lodging or be close to city
    1. Note: the introductory "ועוד" indicates that he is sharing another חומרא
      - a) Rule of Tannaitic rhetoric: Whenever same תנא, w/o significant interruption, adds another חומרא → ועוד
    - ii. ד' יהודה: as long as there is even a pit or cave in the area, may carry there
    - iii. ד' ע: no need for those – may carry within ב"ס (if properly bounded)
      1. Question: how does ר"ע differ from ת"ק?
      2. Answer: ר"ע doesn't require exactly 5K sq. אמות – just  $70 \times 70 +$ 
        - a) Source: for שיעור of בית סאתיים – v. 1; odd phrasing of בחמשים בחמשים:
          - i. Indicates: that we "unfold" the other 50 and circumscribe them around 1<sup>st</sup> 50 to create  $70^2$ 
            1. משט: place משכן at 50-אמה line
    - b. Shape of area: ר"א – must be square
      - i. ד' יוסי: length may even be double of width
      - ii. Later emendation (based on ברייתא): ר' אליעזר allows length to be double of width
        1. Question: how does ר' אליעזר (now) differ from יוסי 'ר'?
        2. Answer: ריבוע דריבועה רבנן: the difference between a square and an inscribed circle, using  $70^2$  as D/length
      - iii. Final ruling (שמואל): follows ר"ע (no need for a structure) and ר' יוסי (even rectangular area)
        1. Justification: if we only learned כר' יוסי, we might think that a house/structure is needed
          - a) And: if we only learned כר"ע, we might think that a rectangle is invalid – קמ"ל
    - c. Uncorroborated reports: of ר' אילעא in the name of ר' אליעזר
      - i. carrying: no maximum on fenceable area
      - ii. עירוב חצרות: if 1 member of a חצר forgets to join the עירוב, only he is forbidden from carrying
      - iii. מרור: may use "ערוקבלין" for מרור

II. מירא: a קרפף of greater than בית סאתיים that was originally fenced in for a domicile

    - a. If: a majority of the קרפף was sown, it is like a גינה and is אסור
      - i. (version 1): only prohibited if more than בית סאתיים sown
        1. Note: this could only accord with ר"ש (עירובין ט:א), who allows קרפף and חצר to be one רשות
        2. Rejection: even ר"ש would agree that since a majority of the area was sown, defined as נזרע and אסור
      - ii. (version 2): only permitted if less than half was sown – as long as the amount sown isn't ד"י
        1. Note: even רבנן (ibid) (who maintain that קרפף is an independent רשות) would agree
      - iii. ד' version: "...if less than 50% was sown, permitted"
        1. ד"ה בריה דר"י: only permitted up to ב"ס – more is אסור (even ר"ש would agree)
    - b. If: a majority of the קרפף was planted, it is permitted
      - i. אבימי: only if trees planted in rows
      - ii. ד"נ: even if not planted in rows

III. שמואל's solution for a קרפף of greater than ב"ס originally fenced in for non-residential purposes

    - a. Solution: make a breach of greater than 10 אמות, then fence it in to less than 10 אמות
      - i. Question: what if the breach-repair was done 1 אמה at a time (i.e. at no time was there עשר אמה)?
      - ii. Answer: valid replacement;
        1. Support: מוציא רימון – טהור – כלי כלי כלי – size of a hole that renders a כלי כלי כלי to be טהור
          - a) חזקיה: asked if smaller holes (כזית) were made and immediately filled (totaling רמון מוציא)
          - b) ד' יוחנן: proved to חזקיה from his own ruling re: sandal straps – if the 2<sup>nd</sup> broke off (even though the 1<sup>st</sup> had been replaced in the interim) – טהור – since "פנים חדשות באו לכאן"
    - b. Tangential ruling of ד' כהנא: prohibited to carry in רחבה (back-alley)
      - i. ד"נ: if they made an opening (to houses) – may carry – but only if opening made before it was fenced in
        1. Justification: if there was a granary – א"א opening was made for גורן (→ אסור) – קמ"ל, that it was made for רחבה
    - c. Tangential discussion: if a קרפף, greater than ב"ס and fenced in for residential purposes, was flooded
      - i. דבנן: thought to prohibit it as if it were all sown
      - ii. Ruling: treated like an orchard and permitted – as long as water is potable, regardless of depth of water