

3.2.6

24b (ההיא רחבה) → 25b (חזה אין אויר מחיצות מיתרו)

note: if a גר passes away without heirs, his property becomes publicly accessibly – כל הקודם בהן זכה בהן – קנין, however, must be effected to take possession.

- I. Case of רחבה: open on one side to a מבי, on another side to a pathway through the vineyards, emptying out to the river
- a. Solutions: for carrying within the רחבה
- i. Cannot: place a מחיצה על ג' מחיצה on river bank (it is a superfluous מחיצה)
 - ii. Cannot: make a צורת הפתח at the entrance to the vineyard – will be knocked down
 1. אמני: stand a לחי near the doorway to the vineyard-path; works for the כרם → works for רחבה
 - a) Challenge (רבא): people will think that you may use a לחי for a regular כרם
 2. רבא: place a לחי at the entrance to the city; it works for the city → works for רחבה
 - iii. Carrying: from city to רחבה and vice-versa: dispute אחא/רבינא
 1. One: permissible, since there are no residents there
 2. Other: prohibited, since there may eventually be residents there
- II. Solution to minimizing size of a קרפף (to less than ב"ס) if it wasn't bounded for residential purposes
- a. Planting trees: doesn't work
- b. Pillar or structure: ט"ו high
- i. If: ט"ו or wider – effective
 - ii. If: less than ט"ו – ineffective
 - iii. Between: 3&4
 1. רבא: effective (no longer לבוד)
 2. רבא: ineffective (needs to be מקום חשוב at ד"ט)
- c. If: he built a separate מחיצה next to the wall
- i. If: it is within ט"ו of the wall – ineffective
 - ii. If: it is more than ט"ו away from the wall – effective
 - iii. Between: 3&4 טפחים away
 1. רבא: effective (no longer לבוד)
 2. רבא: ineffective (requires מקום חשוב of its own – ד"ט)
 - a) ד' שימי: understood that in this case, more than ט"ו was unanimously effective; dispute if <ט"ו
- d. If: he thickened the wall with plaster
- i. If: it can stand by itself – effective
 - ii. If: it cannot stand independently
 1. רבא: still effective – right now it is standing
 2. רבא: ineffective – it will not stand on its own
- e. If: he placed a מחיצה in proximity of a תל (within the ב"ס)
- i. If: it was more than ט"ו from the תל – effective
 - ii. If: closer than ט"ו or atop the edges of the תל
 1. ר"ח: valid (infer from position on מחיצה על ג' מחיצה; valid for שבת; invalid for הגר קנין בנכסי הגר)
 2. ר' המנונא: ד' invalid
 - iii. If: the lower (necessary) מחיצות sunk on שבת and upper מחיצות remained
 1. Then: it is ineffective for הגר קנין בנכסי הגר, effective for שבת (like any מחיצה made on שבת)
- f. If: the קרפף was ג' סאין בית and he roofed over 1 סאה
- i. רבא: ineffective
 - ii. ד' זירא: effective
 1. Suggestion: their dispute parallels רב/שמואל about carrying in a portico – וסותם or not
 2. Block: if it were a flat roof, רבה would agree that it is effective; this is a sloped roof
 - iii. ד' זירא: accedes that if קרפף opens fully into חצר, that it is אסור – since the new space makes it too large
 1. Challenge (רב יוסף): how could opening into an area into where it is מותר to carry – prohibit?
 2. Block (אבני): that is per ר"ש, who allows (עירובין ט:א) carrying from קרפף to חצר
 - a) But: even ר"ש would admit that the air space of the מחיצות adds and prohibits
 - b) Rather: per ר"ח – in that case, may carry in חצר (no space limitation) but not קרפף (now too big)