

3.3.6

32b (משנה ג) → 34a(ומתנא)

I. משנה ג: placing the עירוב in a tree or pit

- a. *If in a tree*: only valid if placed lower than י"ט from the ground
- b. *If in a pit*: at any depth it is valid

II. Analysis of the 1st clause – distinction between above and below טפחים

- a. *תלמידי רב*: before ר"ג; agreed that tree must be in רה"ר and he intended to make his place below it
 - i. *Challenge*: one is not allowed to handle מחובר on שבת (→ עירוב in tree, even if below י"ט, is inaccessible)
 - ii. *Answer*: follows רבי – anything which is משום שבות (e.g. משתמש במחובר) doesn't apply ביה"ש (→ available בביה"ש)

1. *נ.ג.* added that that was how משואל interpreted the משנה and they made it the "approved" reading in בבל

III. הרב's limitation on rule of "above 10 טפחים" – only if it outside of the "extension" of the city (70+ אמות)

- a. *But if*: it is within city limits, anything in the city is considered "filled" and within "grasp" of the ground
 - i. *Challenge*: if so, outside of עיר, should be ok, since he is given ד"א in that area → רה"י (no vertical limit)
 - ii. *Answer (ר' יצחק בריה דר"מ)*: case is a tree whose branch extends beyond the ד"א and he intended to "reside" at root
 - 1. *And*: למעלה/למטה is because it later straightens out and rises at that point, ד"א+ from his שביטה
 - 2. *Challenge*: why not bring it via that branch (→ accessible → עירוב)

a) *Answer*: many people use the horizontal stretch; per עולא, this is now רה"ר

IV. Clarifying the background to the dispute רבי/רבנן (referred to above) re: שבות בבין השמשות

- a. *But if*: if he put the עירוב in a tree above י"ט – invalid; below י"ט – valid but he may not take it בשבת
 - i. *If*: he put it below ג"ט – he may take it on שבת
 - ii. *If*: he put it in a basket – even above י"ט – valid עירוב
 - iii. *חכמים*: if he may not take it, it is an invalid עירוב

1. *Analysis*: חכמים cannot be commenting on סיפא (basket) – they surely agree that צדדי מחובר are מותר2. *Rather*: must be commenting on 1st clause (w/o basket)a) *Defining case*: if tree is less than ד"ט – it is מקום פטור and even above י"ט should be כשרb) *And if*: it is ד"ט wide – the basket should also be a problem, as it is in a רה"יi. *resolution*: ד"ט is less than סיפא; ד"ט is רישא1. *And*: ר"מ holds like רבי (חוקקין להשלים) and יהודה ר' יהודה must be on place that is ד"טa. *Note*: this position is *not* at odds with יהודה re: יוסי בר יהודהi. *Reason*: in that case, the edges of the basket create the שבותii. *ירמיה*: ד"ט is different than tree – he can tip basket and eat from it1. *ר' שבא*: repeated this answer and was challenged by ד"פa. *Challenge*: (in case he wants to set up עירוב for 2 days – י"ט followed by שבת)b. *Solution*: walks it out before י"ט, brings it back after dark and takes it back out ע"שi. *But*: if the potential to have it available is sufficient, why bring it out-since he could!c. *Answer (ר' זירא)*: it is a precaution against a case of י"ט following שבת2. *Challenge*: if he intended to set up שביטה in רה"ר and put his עירוב in a walla. *If*: below י"ט, valid; if above י"ט – invalidb. *If*: he meant to set up שביטה on a perch or tall closet – above י"ט valid; below – invalidi. *Challenge*: why isn't it valid below י"ט, since he could lean it downii. *Answer (ר' ירמיה)*: it is a case of a studded box (can't tip over)iii. *Answer (רבא)*: even a non-studded one; if very large, tipping it would put it out of ד"אiv. *Question*: if he has a rope and there's a window – use them to retrieve עירובv. *Answer*: case is where he doesn't have those available