

3.4.3

44b (אמר רבי זירא) → 46a (כל אדם)

Note: *משנה ו* is included with *משנה ה* in our editions; since it is not analyzed in this section, we will study it at that point

1. ויגדו לְדוד לְאמר הִנֵּה פְּלִשְׁתִּים נִלְחָמִים בְּקַעִילָה וְהָמָּה שָׂקִים אֶת הַגְּרוֹנוֹת: שְׁמֵרָא כֵּן, א
 2. וישאל דוד בה' לאמר האלך והפיתי בפלשתים האלה ויאמר ה' אל דוד לך והפית בפלשתים והושעת את קעילה: שְׁמֵרָא כֵּן, ב

- I. *משנה ג*: status of someone who left *תחום* for legitimate cause (e.g. life-saving or *חדש*)
- a. *If*: he is subsequently told that the matter has been attended to (e.g. life was saved) – gains 2K *אמות* from that spot
 - b. *And if*: he is still within his old *תחום* – “as if he never left”
 - i. *רבה*: if his arrival point is within his original *תחום*, he doesn't lose that
 1. *Justification*: *סד"א* that once he left, his *תחום* “rolls” with him until he hears that it was attended to – *קמ"ל*
 - ii. *ד' שימי בר חייא*: if his new *תחום* overlaps his old one, he may return home
 1. *Challenge* (to *רבה*): does he reject *תחומין* חומוין?
 - a) *Support*: if he settled in a cave of 4K *אמה*, may use entire roof and 2K beyond
 - b) *Response*: in that case, he settled within *מחיצות* (of cave) unlike here
 - i. *Challenge*: even if he didn't settle within *מחיצות* – from *ר"א* (note on p. 36)
 1. *Answer*: *ר"ב*'s rule follows disputant of *אליעזר* ר'
 2. *Block*: *רבה* conceded that *ר"א*'s disputants agree with him if he left *תחום* for legitimate cause
 - a. *In other words*: *הבלעת תחומין* is a meaningful legal theory according to all
 - c. *All those*: who go out for legitimate purposes (e.g. rescue) may return to their locations
 - i. *Challenge*: this seems to contradict earlier clause – in which they only get 2K *אמות*
 - ii. *Block*: shouldn't be a challenge – perhaps we allow rescuers (and other legitimate exiters) to return all the way
 - iii. *Rather*: contradiction is against *ב"ה*: *ר"ה* *עדי החדש* (and rescuers) originally kept there, *ר"ג* allowed them (only) 2K
 1. *answer* (*ר"ב*): teaches that they may return (only within *תחום*) with their weapons (per *תוס' עירובין ג:ו*)
 2. *Answer* (*רנב"י*): if *ישראל* won; only 2K return; if defeated, may return all the way home
 3. *Tangent*: circumstances allowing going to war on *שבת* depends on location of town under attack
 - a) *In heartland*: only if attack is to hurt or conquer people, not a raid
 - b) *Border town* (*ספר* – like *קעילה*): for any cause
 - i. *Support*: per vv. 1-2; *דוד* must have been asking about success; since *שבת* *חילול* was clearly *מותר*
- II. *משנה ד*: if he didn't know that he was settling near a city and realized after onset of *שבת*
- a. *ד"מ*: only gets 2K from his location – but not *תחום* of city
 - b. *ד' יהודה*: gets entire town – support from story of *ר"ט*
 - i. *ברייתא* challenges implication – perhaps he was aware of town or *ב"ה* he entered was within original 2K
- III. *משנה ה*: acquiring location while asleep – dispute *ריב"ג/חכמים* if he acquires *שביטה*
- a. *ד' יוחנן בן נורי*: acquires *שביטה* and has 2K in every direction
 - b. *חכמים*: only gets *ד"א*
 - i. *Inquiry* (*רבא*): does *ריב"ג* hold
 1. *Option1*: *חפצי הפקר קונין שביטה* and he would disagree even about *כלים*
 - a) *But*: the disagreement is about people to demonstrate the extremity of *רבנן*'s position
 - i. *That*: though we could argue that since he could be *קונה* while awake, he's *קונה* asleep – *קמ"ל*
 2. *Option2*: he generally holds that *חפצי הפקר אינן קונין שביטה* – but a sleeper is *קונה*, since he could do so awake
 3. *Answer* (*רב יוסף*): *בריתא* – if it rained on *י"ט*, the rain has 2K (if on *י"ט*, they follow the person's 2K)
 - a) *Conclusion*: must follow *ריב"ג*, and he must hold that even *כלים* (:rain) have *שביטה*
 - b) *Challenge* (*ר' ספרא לאב"י*): perhaps this is rain near the city, that the residents have it in mind?
 - c) *Save* (*רב יוסף for אב"י*): conflicting *ברייתות* - public *בורות* follow one who draws the water/ have 2K
 - i. *Answer*: *רבנן* (follows one who drew water) or *ריב"ג* (have 2K) → *ריב"ג* holds that *שביטה* in clouds or in ocean?
 4. *Tangent*: status of rain that fell on *י"ט* *שבת* – why doesn't it acquire *שביטה* in clouds or in ocean?
 - a) *Answer*: even in clouds or in ocean, always moving → judged *כל אדם* (follow the user)
 - c. *Dispute יהודה* *ד"א/ר' יהודה*
 - i. *ד"א*: whenever he gets *ד"א*, that is a diameter with his spot in middle
 - ii. *ד' יהודה*: agrees that it is 4 x 4, but he can choose direction - once (once he chooses direction – committed to it)