

3.6.10

72a (משנה ו) → 73a (בלחי וקורה)

1. וְדִנְיָאֵל בְּעָא מִן מַלְכָּא וּמְנִי עַל עֲבִידְתָּא דִּי מְדִינַת בְּבַל לְשִׁדְרָךְ מִיִּשְׁךְ וְעֵבֶד נְגוּ וְדִנְיָאֵל בְּתֵרַע מַלְכָּא: דִּנְיָאֵל ב, מט

- I. ב"ש/ב"ה: separate groups of co-residents in a common house – dispute
- a. Positions: ב"ש - independent עירוב for each group; ב"ה - 1 עירוב for all
- i. *However*: ב"ה agrees that if they are in completely separate floors or rooms – each group makes own עירוב
- II. Analysis of dispute - circumstances and location of עירוב
- a. Physical circumstances: what is the nature of the מחיצה?
- i. ר"נ (version 1): only dispute if the dividers are meager; if מחיצות are 10 high, all agree to separate עירובין
- ii. ר"נ (version 2): dispute *even* with meager dividers
- iii. ד' חייא/ר' שמעון ברבי (1) only if dividers reach the roof; otherwise, they agree that only 1 עירוב is needed
 1.(2): dispute only if dividers *don't* reach the roof; otherwise, consensus that multiple עירובין needed
 2. Challenge (ברייתא): ר' יהודה הסבר: dispute only if dividers don't reach roof
 a) Challenges: to ר' חייא/ר"ש (1) and to version 1 of ר"נ; support to ר' חייא/ר"ש (2)
 i. Question: does this also challenge the 2nd version of ר"נ?
 1. *Perhaps not*: identical dispute carries from meager מחיצות to strong מחיצות
 2. *Justification*: expressed re: firm מחיצות, to demonstrate radical position of ב"ה (כח היתירא)
 iv. Final ruling: follows ר' יהודה הסבר; support from last clause in משנה
 1. עליות וחורים: cannot be meant literally (פשיטא); rather, refers to מחיצה that reaches roof (like separate rooms)
- b. Location of עירוב: whether it is in another part of the חצר or placed in טרקלין
- i. Version 1: dispute only if they send their עירוב to another part of the חצר
 1. *But*: if עירוב comes to them, all agree that they only need 1 עירוב
 2. ברייתא: which allows representative of חצר to join other חצרות – like ב"ה
 ii. Version 2: dispute only if the עירוב comes to them
 1. *But if*: they send their עירוב to another part of the חצר, all agree that separate עירובין are needed
 2. ברייתא: which allows representative of חצר to join other חצרות – like neither ב"ה nor ב"ש
- III. ז. משנה: brotherse in one courtyard
- a. *If*: they take food from father's house but sleep in their own homes – need independent עירובין
- b. *Impact*: if one of them forgets to join the עירוב, he may nullify his stake to the others
- i. *Note*: only if they take עירוב to another חצר; if עירוב comes to them (or they're only דיירין 1, עירוב (or none) needed
 1. *Inference*: location of where someone sleeps determines residence for עירובין
 2. *Rejection*: perhaps our משנה is a case where father gives them food but they take it home to eat
- c. ברייתא: definitions of residence
- i. *If*: he owns a portico in another's חצר, he is not considered a resident
- ii. *However*: if he owns a storehouse or barn – considered a resident
- iii. *Dissent*: ר' יהודה – must be a (human) residence to be considered דייר (support from ruling of אושא)
 1. דב: where he eats
 2. שמואל: where he sleeps
 a) Challenge (to דב): ברייתא – fieldworkers' home considered where they sleep
 b) Defense: ideally they would have their food brought out there
 3. Story: רב forgot רב's ruling (מקום פיתא); אב"י reminded him that he used it to explain our משנה (פרס) (מקבלי פרס)
- d. ברייתא: if he has multiple wives and slaves, each eating in his/her own home but fed by *paterfamilias*:
- i. יהודה בן בתירה: wives aren't considered separate, slaves considered separate
- ii. יהודה בן בבא: wives are considered separate, slaves are not considered separate (per v. 1)
 1. *Note*: student w/teacher is like son w/father (no need for עירוב)

- e. Question posed: by אביי to רבה regarding a collective עירוב
- i. If: a few residents collected an עירוב together, when they move their עירוב to another place (to join another חצר)
1. Do they: require an עירוב for each, or does one suffice for the collective?
 - a) Answer (רבה): one suffices for the collective
 - b) Challenge (אביי): our משנה – brothers must each make separate עירוב
 - c) Defense (רבה): in our case, there are other residents with them (there) that forbid their carrying
- f. Question posed: by ר' חייא בר אבין to ר' ששת – the “lunchroom in the glen”
- i. Students: of רב בי רב who eat out in the field but sleep indoors
1. From where: do we measure their תחום – from “picnic bench” or from “dormitory”?
 2. Answer: from where they sleep
 - a) Reason: ideally, they would eat out there as well
- g. Question posed: by ר' חסדא of רמי בר חמא: relationship between father/son and teacher/student
- i. Are they: considered רבים (separate) or יחיד?
1. Practical application: do they require an עירוב between them?
 2. And: is their מבוי permitted with לחי וקורה (or does it need 2 לחיים like a חצר)?
- ii. Answer (ר' חסדא): ברייתא – if there are no other residents, they do not require עירוב
1. But: their מבוי is permitted via לחי וקורה