

3.7.4

78b (משנה ג) → 79b (קמ"ל)

- I. ג. *משנה*: status of *חצרות* bisected by trench 10 טפחים deep and 4 טפחים wide
- a. *Even if*: trench is filled with straw or hay - may not make *עירוב* together
 - i. *Challenge*: from ה *משנה* – bale of straw is a valid *מחיצה* (→should be good “filler” for trench)
 - ii. *Answer* (*אביי*): it is a valid *מחיצה*; but only meaningful *חציצה* (blocking up space) if the owner is *מבטל* it there
 - b. *But if*: filled with dirt or pebbles, may *only* make a joint *עירוב*, not separate ones
 - i. *Challenge*: אהלות טו: – if a house is filled with straw or pebbles
 1. *If*: he is *מבטל* them to house – that “annuls” house (no more אהל מהל)
 2. *But if*: he is not *מבטל* them to house – house still considered אהל
 - a) *Implying*: that pebbles are only nullified with an affirmative *ביטול*, not as default
 3. *Answer1* (*ר' הונא*): unattributed author of אהלות ר' יוסי (and our author rejects his approach)
 - a) *Block*: ר' יוסי himself rules (in תוספתא אהלות) that the default state of dirt is *בטל*
 4. *Rather*: the unattributed author of עירובין ר' יוסי (who regards עפר סתם as annulled)
 5. *Answer2* (*ר' הונא בריה דר"י*): no challenge from ט"מ שבת; people are *מבטל* even things of great worth for שבת
 6. *Variation* (*ר' אשי*): no challenge from a house to a ditch
 - a) *Ditch*: is intended to be filled → whatever he puts there, he intends to leave there (not so with house)
- II. ד. *משנה*: bridging a gap with a board which is ד"ט wide
- a. *In our case*: over the trench
 - b. *Or*: placed between two balconies facing each other
 - c. *Rule*: have the option of making joint *עירוב* or separate *עירובין*
 - i. *However*: if board is less than ד"ט wide, may only make separate *עירובין*
 - ii. *Note* (*רבא*): board only needs to be ד"ט if placed *across* chasm; if *over* (parallel) any size minimizes it to <ד"ט
 - iii. *And* (*רבא*): balconies only need to within ג"ט of true alignment; if less, considered a unified, crooked balcony
- III. ה. *משנה*: reckoning a bale of straw as a divider
- a. *If*: it is ט"ו high, considered completely separate and may not merge *חצרות*
 - i. *Each side*: may feed their animals from the pile
 - ii. *And if*: the pile is diminished to be lower than ט"ו – are considered one *חצר* and **must** join as one
 1. *הונא* (*commenting on the permission for each side to feed*) – as long as he doesn't put in the trough
 - a) *Challenge* (*לחומרא*): הונא ר' taught that we are more strict regarding *דרבנן* in use of animals
 - i. *Context*: he allows having animal eat grass (*מחובר* – we're not concerned that he'll uproot – מה"ת)
 1. *But*: he doesn't allow animal to be led to *מוקצה* to eat (owner may violate מד"ס)
 - ii. *Answer*: he allows animal to go on its own
 - b) *Challenge* (*ברייתא לקולא*): if there is a house between 2 *חצרות* and he fills it with straw, it divides them
 - i. *However*: each side may take straw and put it in his trough
 - ii. *And if*: as a result, the pile becomes lower than ט"ו, both sides are now prohibited from carrying
 1. *Observation*: this seems to imply that if a *מחיצה* doesn't reach the roof (as long as it is ט"ו) כשרה
 2. *Defense*: *מחיצה* uses *לבוד*
 - a. *אביי*: house is 13(-) high and straw is 10 high, within *לבוד*
 - b. *הונא בריה דר"י*: house could even be 10 high and straw 7(+)
 - i. *In which case*: mention of “עשרה” means “the rule of עשרה”
 3. *Note*: this doesn't mean that *אוסרין* בשבת *דיורין* הבאין בשבת; could be it diminished before שבת
 - iii. *Solution*: one of them may lock his door and be *מבטל* to the other – who alone may carry
 1. *Challenge*: why the need for both – either lock or annul
 - a. *Answer1*: it means that he could do either
 - b. *Answer2*: since he is used to being there, requires both
 2. *Answer*: in the case of a house, everyone can see if the straw-level has gone down
 3. *However*: in the case of the “straw-wall”, can't see when it gets lower than ט"ו
 - iv. *Reassessing solution*: why the need to rule that the one who is *מבטל* may not carry?
 1. *Answer*: teaches that nullifier cannot later “swap sides” – אין חוזרין ומבטלין
 - v. *Last clause of ברייתא*: same applies to a pile of straw between 2 *חצרות* (each side may feed from it)
 1. *Justification*: even for ר"ע (תחומין דאורייתא) we aren't concerned that they'll swap over