

3.7.6

80b (משנה ז') → 82a (סוף הפרק)

1. וְאֵתָהּ קַח לָךְ חֶטְיִן וְשִׁעְרִים וּפּוֹל וְעֻדְשִׁים וְדָחֵן וְכֶסְמִים וְנִתְתָּהּ אוֹתָם בְּכָלִי אֶחָד וְעִשִׂיתָ אוֹתָם לָךְ לְלֶחֶם...: יחזקאל ד, ט
 2. וְעִגְתָּ שִׁעְרִים תֹּאכְלֶנָּה וְהִיא בְּגִלְלִי צֵאת הָאָדָם תִּעְגְּנָה לְעֵינֵיהֶם: יחזקאל ד, יב

I. ז. משנה: replenishing the food of an עירוב

- a. *If*: the food is diminished (below the requisite (שעור), he may add, without notifying the others
 - i. *Challenge*: בריתא: if he is adding the same type of food, even if completely gone, he may add without informing
 - 1. *Answer1*: our משנה may be referring to adding the same type – and "נתמעט" means נתמעט – completely gone
 - 2. *Answer2*: may be referring to adding a different type – and only if completely gone must he inform
- b. *But if*: new residents come and join, he adds and must inform the others
 - i. *Contra*: יהודה (יא) ר' יהודה (משנה יא) who rules that עירובי חצירות may be set up לדעת שלא לדעת
 - ii. *Justification (for note)*: ר"י allows for this only in case of חצר btwn. 2 מבואות – but not חצר of 1 מבוי – קמ"ל – מבוי 1 – חצר 2

II. ח. משנה: minimal amount of food for עירוב חצירות (total)

- a. *If*: there are many people – enough for 2 meals (total)
- b. *But if*: there are a few people, 1 כרוגרת for each participant
 - i. *parameters*: 18 or more is מרובין, per שמואל – because 18 גרוגרות=2 meals

III. ט. משנה: ר"י's caveat to ח. משנה ט

- a. *In what case*: we only have a minimal שעור when setting up the עירוב; but שיירי עירוב can be any size (כל שהוא)
- b. *Note*: the only reason for עירוב חצירות (when there is a שיתוף in the מבוי) is to ensure that children remember עירובין

IV. י. משנה: food that may be used for עירוב י

- a. א"א: any food may be used except for water or salt
- b. ד. יהושע: it must be a complete loaf of bread – even a small, cheap one is fine, but a slice of large fancy one is not
 - i. *Challenge*: we already learned (ג:) that we may use any food for an עירוב – "בכל מערבין" –
 - ii. *Answer (רבה)*: this is used to oppose יהושע, who required bread
 - 1. *Challenge (אביי)*: ר' יהושע (evidently) authored בריתא; ruled that בכל מערבין – but required bread for ע"ח
 - 2. *Rather (רבנן)*: to oppose יהושע's requirement of a שלם ככר
 - iii. *Note*: reason for ר"י's demand of full loaf – to avoid enmity (one person gave full, other – a slice)
 - 1. *And*: even if they all gave slices, might revert to giving loaves and enmity still possible
 - iv. *Complete loaf*: even if כדי דימיע (1/100) or כדי חלה of a baker (1/48 – per ב:ז; חלה); but not if כדי חלה of a בעה"ב (1/24)
 - 1. *And if*: the slices are sown together – considered complete loaf
 - a) *Challenge*: if they are stitched together – invalid
 - b) *Resolution*: if stitching is seen, invalid; if unseen – valid
 - v. *Alternate grains*: rice bread, millet bread and lentil bread
 - 1. *Rice bread*: all versions of שמואל's ruling have it valid
 - 2. *Millet bread*: according to זירא, ר' זירא validates; according to מר עוקבא, שמואל does not allow
 - 3. *Lentil bread*: רב ruled that it may be used
 - a) *Challenge*: in שמואל's day, he once received one and threw it to the dog – who didn't eat it!
 - b) *Answer*: that was made of other grains, per v. 1
 - c) ד. פפא: that one was fried in dung (v. 2) and was inedible
 - i. *Tangent*: on first part of v. 2 – may mean that it should be eaten in שיעורים (small amounts)
 - 1. *Or*: - means that it is to be prepared as we would prepare barley (w/o much care) – not wheat

V. עירוב including others in the משנה יא

- a. *אליעזר*: money may be paid in advance to storekeeper or baker (who lives in *מבוי* or *חצר*) to be included in עירוב
- i. *Challenge*: he never made a קנין on the עירוב
 - ii. *Answer* (*ר' שמואל בר יצחק*): just as we allow זכייה on behalf of a buyer of meat at 4 times of year
 1. *Therefore*: if the שוחט, who is forced to slaughter at that point, the לוקח, who didn't take possession, loses
 - a) *Reason*: we assume his interest in buying at this time and enforce זכייה
 - b) *Reason2* (*ר' יוחנן*): at these 4 times, חכמים maintain דין תורה (מעויות קונות) and meat is buyer's w/o משיכה
- b. *חכמים*: money may *not* be paid in advance to חנווני/נחתום, but may be given to a בעה"ב who lives there – acts as שליח
- c. *יהודה*: consent only needed for עירובי תחומין, not for עירובי חצירות (or ש"מ) as that is a clear-cut benefit
- i. *And*: we may act on behalf of a beneficiary without his consent (ואין חבין לא אלא בפניו)
- d. *שמואל's limitations*: on invalidity of giving to חנווני/נחתום
- i. *Only*: need consent if given to חנווני/נחתום, not co-resident (as above)
 - ii. *And*: even if given to חנווני/נחתום; only if given money
 1. *But*: a כלי (which can be used for חליפין) – valid (as he has made him a שליח)
 - iii. *And*: even with money given to חנווני/נחתום – if he said "קני לך" it is invalid; but if he said "עירב לי" → made him שליח

VI. *יהודה*'s qualification – consent only needed for עירובי תחומין

- a. *שמואל*: the law follows *יהודה* – here, and everywhere in עירובין
- i. *Challenge* (*לרבי יהודה*, who reported *שמואל's rule*) does *שמואל* follow *יהודה* even re: *מבוי* that lost its לחי/קורה?
 1. *Answer*: he only meant it regarding עירוב קנין, not מחיצות (or other הלכות related to עירובין)
 - ii. *Challenge*: *ריב"ל* said that anytime *יהודה*'s comment starts with *בד"א* or *אימתי* – he's qualifying, not disagreeing
 1. *Therefore*: all agree here – why state *כר' יהודה*?
 2. *Block*: our משנה clearly stated that he has to inform (if new residents) – *contra* *יהודה*
 3. *Answer*: that is a case of a חצר between 2 מבואות – can be מערב in either direction
 - a) *Therefore*: it is a liability (חוב), since either direction cuts out the other מבוי
 4. *Challenge*: *ר' שיזבי* observed that, in our משנה, *יהודה*'s colleagues disagree with him
 5. *Answer*: dispute among אמוראים (*ריב"ל* vs. *שיזבי*) as to the rule of *בד"א* and *אימתי*
 - a) *Tangent*: *ר' יוחנן* maintains that *בד"א* represents a disagreement; *אימתי* is a qualification
 - b) *Challenge*: *ג:* lists סנהדרין דרבנן and פסולי עדות and *יהודה* adds *אימתי* – when that is their sole livelihood
 - i. פסול לעדות – whether or not it is his sole livelihood – *ברייתא*
 - ii. *Answer*: in that משנה, *יהודה* and *ת"ק* agree (אסמכתא קניא)
 1. הפלאת נזירות: *ר' טרפון* in re: פסול of gambler, follows *ברייתא*
 - a. *He rules*: that there is no הפלאת מספק → קניא → הפלאת מספק
 - i. *Therefore*: the פסול is not about עולם של עוסק ביישובו של עולם, but גזילה (אסמכתא)