

3.8.6

88a (משנה ט-יג) → 89a (סוף הפרק)

- I. רה"ר: water runoff into משנה ט'
- context: a small חצר (<4*4 אמות)
 - ruling: may not spill water into it without first making a collection tank (עוקה) which holds סאתיים under the drain
 - rationale: otherwise, the water will certainly spill into רה"ר
 - explanations: premised on notion that people generally use סאתיים per day
 1. זילוף דבה – that amount works well in a space of 4*4 for laying down the dust
 - If: smaller, they'll want it to go outside of the חצר
 - ד' זירא: that amount stays inside an area of 4*4 (or greater)
 - Difference: if it's 16 sq. אמות but rectangular (זירא ר' allows; רבה doesn't)
 - ד' זירא: a portico counts towards the measure (→ חצר needn't be square)
 - Block: אכסדרה runs along entire חצר and it is still square
 - ברייתא דבה requires "no less than 4*4"
 - Block: that is רבנן who require length on each side, not area
 - But: our משנה follows ראב"י
 - Support: our משנה only mentions "smaller than 4*4"
 - Challenge: our משנה can't be ראב"י, as he is explicitly mentioned in סיפא (משנה י)
 - Answer: he is the author of the whole set and מיחסרא
 - location; may be inside the חצר or outside; but if outside, must make a cover (soit functions as extension of רה"י)
- II. משנה י': a drainage ditch that goes into רה"ר and is covered there
- ד' זירא: if it is covered רה"ר in ד"א – permissible to spill water there
 - חכמים: even if the roof or courtyard are huge, prohibited from spilling directly into the ditch
 - But: may spill onto roof and it runs into ביב
 - צירוף: portico and חצר count towards 4*4
 - ברייתא (חנניא): even spilling from a roof is prohibited
- III. ברייתא - עוקה - only needed in summer (dry season); in rainy season, may continually pour water in without limit
- First approach: entire requirement of עוקה relaxed in winter
 - reason - a person would rather have spilled water stay in place
 - Challenge (אב"י): a person would prefer to have refuse stay put yet he is limited
 - Answer: no concern here:
 - His concern: none for חצר – it's already damaged due to rain
 - Our concern: no one will think that he's using a hose, all hoses water
 - Second approach (ר' נחמן): requirement of בית סאתיים relaxed during winter
 - Reason: in winter, he gets the amount as per the tank; in summer – only if there is ב"ס does he get that amount
 - Rationale: during summer, he may spill ב"ס even if it is smaller
 - But: no concern in winter, aw's per above
 - Therefore: he could even spill much more in winter if the tank is larger

IV. משנה יא: 2 parallel buildings, with ד' אמות-חצר between them

 - And: only 1 building made an עוקה and the other didn't
 - Then: only the building with the tank may pour out their water
 - ד' זירא: even if they made an עירוב
 - Challenge (אב"י): no limit of size of tank and can already be filled before שבת
 - Rather: רבא said only if there was no עירוב
 - Rationale: concern that they'll pour in the חצר instead of in their own homes