

3.10.3

(דהאי גיסא ודהאי גיסא אסור) 98b → (משנה ג') 97b

I. כתבי הקדש: saving a rolling scroll משנה ג'

- a. *If*: he was reading atop a lintel (אספוקה) and the scroll rolled down – he may roll it back to him
- i. *Inquiry*: is רה"ר a אסקופה before which lies a רה"ר?
1. *And*: we aren't גוזר that it may fall and he'll go after it
 2. *If so*: the author is ר"ש (per our משנה שבות – משנה doesn't impede כבוד כתבי הקודש)
 - a) *Challenge*: end of משנה explicitly mentions יהודה ר' and then ר"ש
 - b) *In which case*: our משנה is ר"ש, then יהודה ר' then ר"ש!
 - i. *דהאי גיסא ודהאי גיסא אסור*: indeed – our case is ר' שמעון, ר' יהודה ר' and then ר"ש are invoked
 3. *דהאי גיסא ודהאי גיסא אסור*: this sloop is trod on, even יהודה ר' allows returning it
 4. *Challenge* (אב"י): ruling that if ד"א is within ספר, may return it; if further – may not
 - a) *But*: if it is a "אסקופה" – why the distinction between ד"א and further?
 5. *Rather* (אב"י): the sloop is a כרמלית; no concern that he'll carry it from רה"ר → כרמלית → רה"ר
 - a) *Therefore*: if it was <ד"א, which might lead to חיוב חטאת, they were גוזר; if longer – no גזירה
 - b) *Challenge*: why aren't they concerned, even at ד"א, that they will violate רה"ר → רה"ר?
 - i. *Proposal*: כרמלית between the two רשויות makes חיוב impossible
 - ii. *Rejection*: רבא ruled that if someone carries over his head (from רה"ר פטור, רה"ר - חיוב - מקום פטור, רה"ר) ruled that if someone carries over his head (from רה"ר פטור, רה"ר - חיוב - מקום פטור, רה"ר)
 - c) *Rather*: it is a long sloop; before going to get it (a distance) he'll remember and refrain
 - d) *Or*: people generally read in their place and don't move scrolls
 - i. *Challenge*: why aren't we concerned that they'll take it directly from רה"ר → רה"ר
 - ii. *Answer*: it is per עזאי בן עזאי (מהלך כעומד דמי) – therefore, in any case, it has stopped in the כרמלית
 1. *Challenge*: what if he throws it (where בן עזאי agrees that it isn't considered עומד)
 2. *Answer*: from here we see that we do not throw כתבי הקודש
- b. *If*: he was reading atop a roof and the scroll rolled out of his hand –
- i. *If*: it had not yet reached within ט"ו of the ground, he may roll it back to himself
- ii. *But if*: it had reached within ט"ו of the ground, he turns it over
1. *Challenge*: סופרים are not allowed to turn parchment over – rather, cover it
 - a) *Answer*: that is where it is possible; here, it is impossible – more בזיון if we don't turn it over
 2. *Challenge*: it never reached the ground – why can't he bring it back?
 - a) *Answer* (רבא): wall is sloped
 - b) *Challenge* (אב"י): end of משנה (יהודה) ר' ruling makes it clear that it is not a sloped wall
 - i. *Answer*: משנה is deficient – first ruling is for sloped roof; if straight – above ג"ט, roll back
 1. *Then*: יהודה ר' dissents and allows as long as it is off the ground at all
 2. *Challenge*: if so, the rule of לבוד seems to be disputed by יהודה ר'
 - a. *Rather*: משנה is deficient – it is all יהודה ר' and first rule is for sloped wall
 - i. *But*: if wall is straight, as long as it is off the ground etc.
- iii. *דהאי גיסא ודהאי גיסא אסור*: even it reached further down, as long as it is off the ground – he may roll it back
- iv. *דהאי גיסא ודהאי גיסא אסור*: even if reached the ground, he rolls it back to himself
1. *Reason*: a שבות does not interfere with כבוד כתבי הקודש

II. משנה דו: the window sill – permissible to carry to and from

- a. *Even if*: it's facing רה"ר; we only allow breakable vessels (if they fall, he won't move them – they'll be broken)
- i. *And*: sill must be ט"ו off the ground and must be 4*4
- b. *If*: there's a זיז below this one which is ד"ט and the window sill is <ד"ט, but the window completes the ד"ט
- i. *Then*: it is permissible to carry on the upper sill only adjacent to the window (חורי רה"י)