

18.01.05; 7b (ר' יהודה אומר) → 9a (עדער דבעל)

1. ויאמרו הנה חג ה' בשלו מימים ומימה אשר מאפונה לבית אל מזרחה השמש למסלה העלה מבית אל שקמה ומנגב ללבונה: שופטים כא, יט
 2. וגבול ים והיה לים הגדול וגבול זה והיה לים גבול ים: במדבר לד, ו
 3. שפתים ישק משיב דברים נכחים: משלי כד, כו

- I בפ"נ ובפ"נ boundary cities of the Land for purposes of משנה ב'
- a **רקם** and east; **עכו** and north, **אשקלון** and south (and Mediterranean to the west)
- i *dissent*: ר"מ – עכו is considered part of א"י
- ii *Challenge*: (to implication that עכו is the northern border) – ruling that if one was walking north from עכו towards **כזיב** (a city on the Lebanese coast), to the east is ח"ל and to the west is א"י
- iii *Answer*: there is a strip of א"י that continues north from עכו
- 1 *Challenge*: why would the תנא mention such a narrow strip of א"י
- 2 *Response*: we find the same in תנ"ך – v. 1
- II Bringing a גט to א"י in a boat (if it was written on the boat)
- a בפ"נ ובפ"נ – considered as א"י – no need for ברייתא 1
- b בפ"נ ובפ"נ – considered as ח"ל – must declare ברייתא 2
- c *resolution*: ר' יהודה/רבנן:
- i *if*: a boat is entering א"י, anything growing on it is **במעשר** etc.
- ii *qualifier*: ר' יהודה – only if the boat is scraping the seabed
- d *alternately*: both are ר' יהודה – it is considered א"י if the boat is scraping the seabed
- e *tangential suggestion*: food growing in a pot with holes in the bottom, resting on pegs – its status vis-à-vis תר"מ depends on the dispute between ר' יהודה/רבנן
- i *rejection*: perhaps ר' יהודה only requires גושטת with a boat, which travels; or רבנן consider the boat א"י because there is no airspace between the material growing on the boat, the boat and sea; but here, there is airspace
- f *alternate take on the ברייתות*: not referring to a boat in the rivers of א"י – all agree that that is א"י
- i *rather*: dispute is about a boat in the Mediterranean – regarding range of territorial waters of א"י
- 1 **דבנן**, line stretched from NW border (טורי אמנון) to SW border (נחל מצרים); anything within that line is א"י
- 2 **ל"י**, line stretched from NW border out to Gibraltar, and line stretched from SW border to Gibraltar (v. 2)
- (a) **דבנן**, use v. 2 to include islands (ר' יהודה – islands need no special verse)
- III status of Syria (first conquered by דוד)
- a *question asked*: if someone sells a slave to Syria, is that considered selling to ח"ל (automatically goes free)?
- i *Answer*: from our משנה – even ר"מ only extended א"י to include עכו only for גיטין;
- 1 → ח"ל is ח"ל for slaves; certainly north of עכו is ח"ל
- ii *Associated ברייתא*: there are 3 ways in which Syria is like א"י and 3 in which it is ח"ל
- 1 **ח"ל** dirt is טמא (as per **ארץ העמים**); selling a slave there – goes free; bringing a גט must say בפ"נ
- 2 **א"י**
- (a) 1: obligated in מעשר ושביעית – since this תנא holds that **כיבוש יחיד** is a full **כיבוש**
- (b) 2: may enter בטהרה – even רבי, who disallows entering ח"ל in a box/sedan, would allow it here
- (c) 3: buying a house here is like buying in י-ם; meaning, he may instruct a non-Jew to sign the deed on **שבת** due to the importance of **א"י יישוב**
- IV Tangent: If a slave appears with a writ from his master stating: "You and my possessions are given to you" – he only acquires his own freedom; not the possessions
- a Question: what if the document stated "and **all** my possessions"
- b **אב"י**: since he acquires himself, he acquires the possessions as well
- i *(later)* **אב"י**: since he can't acquire the possessions, he can't acquire himself
- c **רבא**: in either case, he acquires himself (parallel to גט – his "hand" comes with the writ) but not possessions
- i *note*: this seems to follow ר"ש's opinion (פאה ג:), in spite of ר"י's praise for ר"ש (v. 3), ר"ג stated that כר"מ
- 1 *challenge*: ר"ג ruled that a **מתנת שכיב מרע** can be reverted for possession, but not for freeing his slave
- (a) *explanation*: we see that ר"ג accepts the principle of "splitting the words" (**פלגינן דיבורא**)
- (b) *and*: he rules against ר"ש since the גט isn't a complete excision, since the master held some possessions
- V **משנה ג'**: situations where we rely on validation of signatures – if there is a challenge
- a *note*: challenge must be made by the husband; else a challenge of 1 isn't heard, if 2 – then its 2 vs. 2 and why would we believe the witnesses (בחותמיו) **אם יש עליו עדים יתקיים בחותמיו**
- b if it is brought within א"י or if brought from ח"ל and he can't declare בפ"נ