

22.2.4

20b (משנה ב') → 21b (מותרה ועומד הוא)

1. ולמדתם אתם את בניכם לדבר בם בשבתך בביתך ובלכתך בדרך ובשכבך ובקומך: דברים פרק יא פסוק יט
 2. והלכו עמם רבים ואמרו לכו ונעלה אל הר ידוד אל בית אלהי יעקב וירנו מדרךיו ונלכה בארחתיו כי מציון תצא תורה ודבר ה' מירושלם: ישעיהו ב:ג
 3. כי ששת חדשים ישב שם יואב וכל ישראל עד הכרית כל זכר באדום: מלכים א פרק יא פסוק טז
 4. והיה בהניה ה' אלהיך לך מכל איביך מסביב בארץ אשר ה' אלהיך נתן לך נחלה לרשתה תמחה את זכר עמלק מתחת השמים לא תשכח: דברים כה"ט
 5. ארור עשה מלאכת ה' רמיה וארור מנע חרבו מדם: ירמיהו פרק מח פסוק י

- I 'ב משנה: setting up an oven or stove top in a house
 - a May not set up oven without ד"א above it (of air space)
 - i If: it's on a loft, there must be ט"ג of flooring beneath the oven; 1 כירה beneath a טפח
 - 1 Challenge: בריתא reads 4/3 (instead of 3/1)
 - (a) Answer (אב"י): בריתא is in re: baker's oven; our ovens are like baker's stove-top
 - ii Consequences:
 - 1 ט"ק if damage occurred – still liable
 - 2 ד"ש the purpose of these שעורים is to exempt one who abides by them
- II ג"ג משנה: setting up a work space underneath a neighbor's storage shed
 - a Forbidden to set up a bakery or dyer's shop or barn underneath an אוצר
 - i בריתא: if the barn/bakery etc. was there first, permitted (and need not move)
 - 1 אב"י series of questions as to what constitutes an אוצר (all suspended as תיקו)
 - (a) Questions: sweeping off roof; setting up windows, setting up portico underneath, building a 2nd story
 - (i) Addendum: ר' הונא – if he puts in dates and pomegranates, does that constitute an אוצר (תיקו)
 - b Permitted: if the loft holds wine, (except for the barn);
 - i גבל: any intrusion hurts "our" wine
 - ii Note: hay is as noxious as a barn
- III ג"ג משנה: resident's rights within the חצר
 - a Residents of the חצר can suspend retail business in חצר, due to noise of foot traffic
 - i But: he may fashion things in the חצר and sell them in the marketplace;
 - 1 Limitation: the residents may not stop him due to the noise of hammer/anvil, mill or children
 - 2 Question: why distinguish between rights of residents to limit noise of foot traffic and his right to have (noisy) tools or children?
 - (a) Answer1 (אב"י): the permission is only if they are in another חצר
 - (i) Challenge (רבא): then it should state "in another courtyard it is permitted", rather
 - (b) Answer2: permission is in re: תינוקות של בית רבן, after the ordinance established by גמלא (vv. 1-2)
 - (i) Challenge (to רבא): series of rulings forbidding one resident to rent out space to teacher
 - 1. Defense: in those cases, it was a teacher of a trade (not תשב"ר) or town scribe
 - (ii) Detail: establishment of educational system by יהושע בן גמלא
 - 1. Location: schools in every district
 - a. Limits of moving children from building to building – only locally, and only if safe
 - 2. Age: begin at 6 or 7
 - 3. Class size: 25 – at 40, hire an assistant, at 50 – two teachers
 - a. Note: consideration of promoting better teacher – he'll remain sharp due to קנאת סופרים
 - 4. Qualities of teacher: knowledge vs. care and exactitude
 - a. רבא: knowledge – the mistakes will iron out
 - b. ד' דימי careful – mistakes are hard to erase, as per story of יואב (vv. 3-5)
 - 5. Fair warning (רבא): anyone whose work involves a possibly irreparable error is considered forewarned – this includes teachers, tree-planters, doctors, slaughterers and the town clerk.