

In the previous Daf the משנה stated as follows:

יוביי סתום - in order to permit carrying in a מבוי סתום - that is surrounded by walls on three sides - there are three opinions about what must be done at the opening:

וקורה לחי וקורה בית שמאי - It requires a side pole AND a cross beam.

הרה או לחי או אומרים – Either a חיי or a קורה, but not both.



רבי אליעזר אומר לחיין – It requires two לחי's.

The גמרא at first entertains the possibility that רבי אליעזר adds to the opinion of בית שמאי and requires a קורה (cross beam) in addition to the two poles, since רבי יוסי ב's student רבי יוסי ב' referred to this fix as a CLOSING of the מבוי.

The גמרא rejects this proof, suggesting that closing just means

בלחיים – closing it with poles, but there is no need for a beam.

Regarding בית הלל we had a Machlokes in the Mishnah:

- משום ר' ישמעאל אמר תלמיד אחד לפני ר' עקיבא

A student said in the name of ר' עקיבא '' before ר' עקיבא - Only regarding an opening of between 4 אמות and up to 10 אמות is the Machlokes where

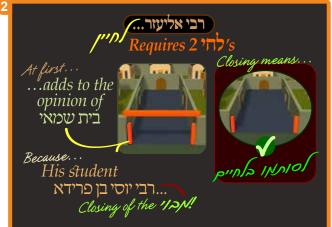
בית שמאי require a לחי וקורה - side pole AND a cross beam, and - side pole a cross beam, and בית הלל - either a לחי or a קורה, but not both.

However, in an opening of less than 4 אמות Bais Shammai will agree with Bais Hillel that either a קורה OR a קורה is sufficient.

- אמר ר' עקיבא על זה ועל זה נחלקו

They disagree in both cases.

The Gemara points out that if the opening is less than 4 טפחים no לחי is needed at all.







Review



The Gemara next discusses a חצר which is open to an area that one may not carry into, such as another חצר that it has not joined with in an עירובי חצירות, or a רשות הרבים.



We may not carry even within the חצר unless one of the following adjusments is made at the opening:

The הנא קמא of the ברייתא holds

דרי אומר בפט אחד - a single pole would suffice.

רבי אומר בשני פטין - Rebbe holds two poles are needed - one on each side.

רב ששת in the name of רב, and רב נחמן pasken like רבי that two poles are needed.

As to the width of each pole -יוסי holds that each pole has to be at least three טפחים wide.

רבי יוחנן - as explained by ר' זירא - holds that one has the option of

ש טפחים - using one post that is 4 טפחים wide , OR - משתי טשהו - two posts of any size - one on each side.

Shmuel's opinion on this issue is unclear.
On the one hand, א ב יוסף said in the name of שמואל that דו א said in the name of חצר ניתרת בפט אחד – a single post is enough.
On the other hand, אב" said in the name of שמואל that שמואל - you shall not allow carrying in the חצר unless there is a wall covering the majority of the opening or two posts.







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At first רב יוסף אמnted to support his version of שמואל's opinion based on an incident where the ocean knocked down the wall of a רב יהודה אחלב, Shmuel's student, only required one post.



The מכורא explains that is not a valid proof, because קל הוא שהקילו חכמים במים – The Chachamim were more lenient in order to provide easier access to water, just like we allow a מחיצה תלויה – a suspended

- to enable access to water.



9 רב הונא בריה דרב יהושע explain that there is no contradiction in שכוואל's statements. He requires either one post that is four טפחים wide, or 2 small posts.

The reason Shmuel said we need רוב דופן and not just four טפחים, is that he was speaking about an opening that is seven שולם, of which four טפחים is the majority.









The אכורא asks that if the opening is only seven טפחים, a board of slightly more than three טפחים would suffice to reduce the remaining open space to less than four טפחים, and we learned earlier in this דר that an opening of less than four טפחים need not be fixed at all?

The Gemara gives two answers:

First, כאן בחצר כאן בחצר - only a מבוי's opening of less than four טפחים does not need to be fixed, but a אחצר's opening of less than four טפחים does need to be fixed.

Second, דרב אחלי גופיה תנאים – not all תנאים agree that an opening of less than four טפחים does not need to be fixed.

11 תנו רבנן לשון ים הנכנס לחצר אין ממלאין הימנו בשבת – In a case where the ocean broke down the wall of the חצר, but the two ends of the wall remained -

If the breach is more than ten אמוות, one may not fill water from the water within the חצר, because it's considered one with the ocean, and he would be taking from a כרמלית to a רשות היחיד.

However, he may carry other things in the חצר as long as openic אית ליה גידודי as long as יטפחים - parts of the breached wall that are ten טפחים high remained under water.

If the breach in the ממות א or less, he may fill water from the water within the חצר, because the opening is not a breach but a מחיצות - a doorway, and the water within the רשות is considered separate from the ocean, and in the רשות.









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אמר רב יהודה מבוי שלא נשתתפו בו – אמר רב יהודה מבוי שלא נשתתפו בו – A מבוי מפולש that has only two walls and is therefore not eligible for שיתופי מבואות – is not considered a...



14 If a pole was placed at one of the open sides - לחי משום מחיצה we view the pole as a third wall - and the מבוי becomes a רשות. Therefore,

- הזורק לתוכו חייב

One who throws something into the מבוי from the רשות הרבים will be חייב.

If a קורה משום הכירא - קורה משום הכירא - the beam only serves as a reminder – and the מבוי is still not a רשות היחיד. Therefore,

- הזורק לתוכו פטור

One who throws something into the מבוי from the רשות הרבים will be פטור.



Rava disagrees and holds אחד זה ואחד זה משום היכר - both the הואחד זה ואחד ה and the לחי are only a reminder, and do not constitute walls - Therefore, in both cases הזורק לתוכו פטור.









Of course, a מבוי סתום - enclosed on 3 sides - is a רשות היחיד even without the יחלה or החורק לתוכו חייב.



The Gemara also cites the well-known opinion of רבי יהודה the תנא that

- שתי מחיצות דאורייתא

2 opposite walls create a התורה מן היחיד רשות even in a רשות הרבים היחיד.



Earlier in the דף we learned that a מותר becomes מבוי with a מותר with a מותר of any size, while a דרי needs a לחי that is four טפחים wide. – אמר רב

A מותר that is square cannot become אווע with a regular לחי or קורה because a square מבוי is considered to be a חצר, which needs a post of 4. טפחים.

Similarly, if a חצר is rectangular - according to שמואל with a length double its width and according to בר in the name of רביבי - referring to יחייא his uncle - with a length slightly more than its width - it would be considered a מבוי and only need a narrow יחבר, and not a four טפח post like a חצר.





