

1 In the previous דף we learned a statement of רב יהודה that a מבוי open on one end to a רשות הרבים and the other end to an unused plot of land - even if the other end of the lot is open to the רשות הרבים - אין צריך כלום - the מבוי does not need anything at the opening to the empty plot, just a לחי or קורה at the end that opens to the רשות הרבים.



2 The Gemara teaches 3 qualifiers to רב יהודה's ruling.

- אמר רב יוסף לא שנו אלא שכלה לאמצע רחבה -1-
 Rav Yehuda only allows carrying in the מבוי when the back end of the מבוי opens into the middle of the back lot, and both side walls of the רחבה are wider than the מבוי.
 - אבל כלה לצידי רחבה אסור -
 If one side of the back opening of the מבוי is flush with the side wall of the lot, even רב יהודה would agree that it is אסור to carry there, because it is נראה כמפולש, it seems like the מבוי continues to the back of the lot which is open to the רשות הרבים.



3 - אמר רבה...לא אמרן אלא זה שלא כנגד זה -2-
 Rav Yehuda only allows carrying in the מבוי when the opening of the מבוי is not directly across from the opening in the back lot -
 - אבל זה כנגד זה אסור -
 If the two openings are aligned with each other, it would be אסור to carry in the מבוי.



4 - לא אמרן אלא רחבה דרבים -3
 Rav Yehuda only allows carrying in the מבוי when the back lot is owned by many people, אבל רחבה דיחיד, but if owned by one person we are concerned that he will build houses there and the מבוי will become רחבה לצדי רחבה - open to the side of that piece of land and would be אסור to carry in.

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3
 לא אמרן אלא...
 ✓
 רחבה דרבים
 owned by
 MANY people

אבל
 רחבה דיחיד
 owned by ONE person
 Might build houses
 כלה לצדי רחבה
 אסור

5 The idea of differentiating between a privately and publicly owned area is proven, because it's the only way to solve a seeming contradiction.

On the one hand, מעשה במבוי אחד - there was a מבוי whose one side was open to the ocean, which either had a seawall, or the steep slope constitutes a מחיצה - a wall, and the other side was closed by a garbage dump,

5

Differentiating between a privately & publicly owned area
 Solve a seeming contradiction...

On the one hand...

מעשה במבוי אחד...

רשות הרבים

6 and רבי would not permit carrying in this מבוי, out of concern that sediment from the ocean might reduce the height of the seawall, or the steepness of the slope - OR the garbage dump might be removed and leave the מבוי without a partition on one side.

6

רבי would not permit carrying in this מבוי

Sediment from the ocean might reduce the seawall from 10 מטרים high

Garbage heap might be removed

7 On the other hand, the משנה permits throwing onto the top of a garbage dump - which is a רשות היחיד, because it is 10 טפחים high, and more than 4 by 4 טפחים in area - from a house alongside it, without any concern that the garbage will be removed, and people will continue to throw from the house - a רשות היחיד, to the area of the former garbage dump - now a רשות הרבים.



8 Apparently we are only concerned that it will be removed when owned by an individual - אשפה דיחיד - but not when owned by many people - אשפה דרבים.



9 - ההוא מבוי עקום דהוה בסורא - There was an "L" shaped מבוי in סורא where the people from one side rolled up a mat at the bend to serve as a להי. רב חסדא pointed out that not only does this not satisfy רב who would have required a full צורת הפתח, but would not even satisfy שמואל who would have required a proper להי, and not just a rolled up mat. The problem with the mat is that the wind might blow it away. Therefore, the Gemara suggests that if it is attached to wall it's OK.



10 מבו העשוי כנדל - אתמר מבו is shaped like a centipede, in that it is shaped like an L, but also has many smaller מבואות branching off from it, there is a מחלוקת how to fix it so that we can carry in the מבו:

According to שמואל, who ruled on ע"א ו' דף that תורתו כסתום - an L - shaped מבו is considered a closed מבו, all these Mavois would only need a לחי or קורה at their front openings.



11 According to רב - and as we learned above on ע"ב דף ו' ע"ב, even נהרדעא which was the town of שמואל was like רב - עושה צורת הפתח לכולהו - Each smaller מבו needs its own צורת הפתח at the back opening, and all Mavois, including the large one, only need a לחי or קורה at the front opening.



12 The Gemara continues; There is a Machlokes in the case of a מבו whose two side walls end unevenly from each other - one juts out further than the other.

A succession of אמוראים named רב כהנא hold that if the discrepancy is less than ד' אמות, the קורה may be placed on an angle, but if the discrepancy is more than ד' אמות the קורה has to run straight across, at the end of the shorter wall. They hold

- קורה משום מחיצה

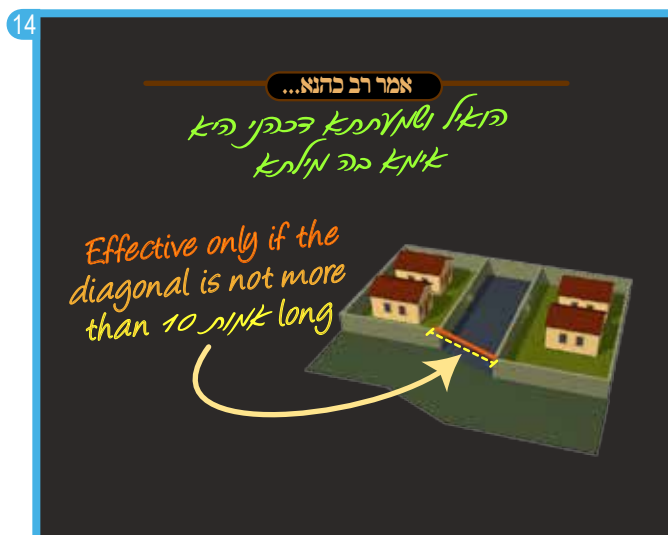
The קורה constitutes an Halachic wall, which is effective even on the diagonal.



13 רבא אמר אחד זה ואחד זה אינו מניח את הקורה אלא כנגד הקצר - Rava holds that regardless of how small the discrepancy between the two sides, the קורה can only be placed across the shorter side because קורה משום היכר, the purpose of the beam is to serve as a reminder that there is a difference between the מבוי and a רשות הרבים, which on the diagonal is not clearly defined.



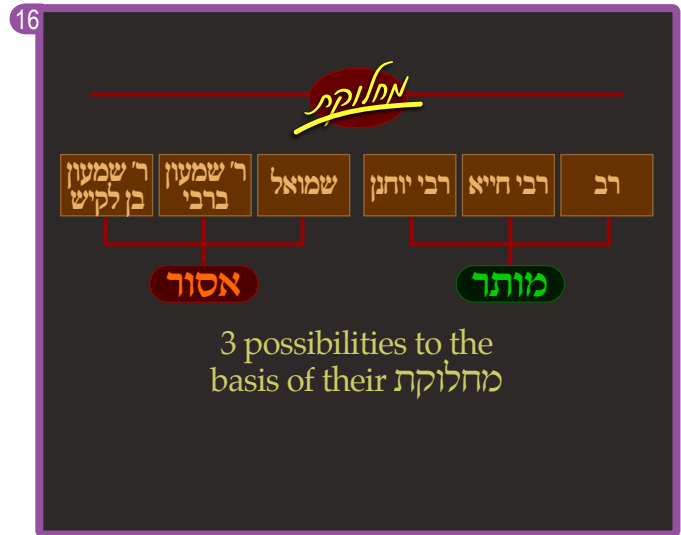
14 אמר רב כהנא הואיל ושמעתתא דכהני היא אימא בה מילתא - Rav Kahana said that since the opinion that a diagonal beam is valid was taught by a succession of אמוראים named רב כהנא, who were obviously כהנים, I will add a ruling of mine. This is effective only if the diagonal is NOT more than ten אמות long, but a beam more than ten אמות is never valid.



15 מהו להשתמש תחת הקורה - איבעיא להו מוה להשתמש תחת הקורה מבוי: - There is a מחלוקת whether one may carry directly underneath a beam that's over the entrance of a מבוי:



16 מותר all say it is רב, רבי חייא, ורבי יוחנן.
 אסור all say it is שמואל, רבי שמעון בר רבי, ורבי שמעון בן לקיש.
 The גמרא suggests three possibilities as to what the basis of the מחלוקת is:



17 -1- Those who permit carrying under the קורה hold קורה משום היכר - the beam is a reminder, and the outer edge reminds one of the line between the מבוי and הרבים. Therefore, under the קורה is within the מבוי and מותר. Those who forbid it hold קורה משום מחיצה - the beam is an Halachic partition, and the inner edge is considered to be extended down, enclosing the מבוי. Hence, under the קורה is outside the partition and אסור.



18 -2- Perhaps, all agree היכר משום היכר - Those who permit carrying there hold הכירא מלבר - The purpose of the reminder is for people outside the מבוי. Therefore, it is the outer edge that is the reminder. Those who forbid it hold הכירא מלגיו - The purpose of the reminder is for those inside the מבוי. Therefore, it is the inner edge that is the reminder.



19 -3- Perhaps, everybody agrees קורה משום מחיצה - Those who permit carrying under the קורה hold that the OUTER edge is considered to be extended down, enclosing the מבוי. Hence, under the קורה is inside the partition and מותר.

Those who forbid carrying under the קורה hold that the INNER edge is considered to be extended down, enclosing the מבוי. Hence, under the קורה is outside the partition and אסור.

This entire discussion is limited to the area underneath a beam, but the area opposite the לחי - the pole, is certainly אסור to carry in, since it could easily lead to carrying outside of the לחי.

19

3

Perhaps, ALL agree...
קורה משום מחיצה

אסור מותר

חודו הפנימי יורד וסותם חודו החיצון יורד וסותם

The INNER edge extends down enclosing the מבוי The OUTER edge extends down enclosing the מבוי

Certainly אסור to carry

20 בעא מיניה רמי בר חמא מרב חסדא - Rami bar Chama asked Rav Chisda if a קורה is valid when it hangs over the outside of the מבוי entrance, on two pegs that stick out from the מבוי? The גמרא gives two opinions:

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בעא מיניה רמי בר חמא מרב חסדא
A קורה hanging over the outside of a מבוי...

?

- 21 לדברי המתיר אסור לדברי האוסר מותר -
 Whoever permits carrying under a regular קורה because the outer edge of the קורה functions as the מחיצה - would hold that this קורה is invalid, because in this case the מחיצה is considered removed from the מבוי.
 Whoever holds one may not carry under a regular קורה because the inner edge of the קורה functions as the מחיצה - would hold that this קורה is valid, because in this case the מחיצה is at the wall of the מבוי.

21

רב הסדא

לדברי המתיר ← **אסור**

מחיצה is removed from the מבוי

Outer Edge...

רב הסדא

לדברי האוסר ← **מותר**

מחיצה is at the wall of the מבוי

Inner Edge...

- 22 רבא אמר לדברי האוסר נמי אסור בעינן קורה על גבי מבוי וליכא -
 Rava holds that everybody would say this is אסור. One of the fundamental requirements of a קורה is that it be on top of the מבוי.

22

רבא

לדברי האוסר נמי אסור
בעינן קורה על גבי מבוי וליכא

The fundamental requirement of קורה is, to be on TOP of the מבוי