

**1** In the previous Daf we learned  
 רבי שמעון אומר אחד גגות ואחד חצירות ואחד קרפיפות רשות אחת הן -  
 R' Shimon holds there are no restrictions on carrying within  
 or between גגות - roofs, חצירות - courtyards, and קרפיפות -  
 because they are all considered one רשות.  
 רבי שמעון, בין עירבו בין שלא עירבו Paskens like ר' יוחנן  
 Even if the individual חצירות made separate עירובין, R' Shimon  
 holds that one may carry from one חצר to the next, items that  
 were outside, and he is not concerned that people will also  
 carry items that were inside.

The Gemara asks, that it is ר' יוחנן who says;

הלכה כסתם משנה -

We always Pasken like a משנה, סתם משנה,

and we learned in a משנה on ע"ב ע"ו ע"ב -

כותל שבין שתי חצירות -

A wall of at least ten טפחים high and four טפחים wide  
 separates two חצירות - they cannot join in a single עירוב  
 because they are totally separate from each other.

**1**

רבי שמעון אומר  
 אחד גגות ואחד חצירות ואחד קרפיפות  
 רשות אחת הן

↓  
 ר' יוחנן  
 בין עירבו בין שלא עירבו

↓  
 ?  
 והא אמר ר' יוחנן  
 הלכה כסתם משנה

↓  
 כותל שבין שתי חצירות



*They cannot join a single עירוב*  
*They are totally separate from each other*

**2** היו בראשו פירות -  
 If there are fruits on top of the wall, people from both sides  
 may climb up to eat them, since the top of the wall is consid-  
 ered to be its own רשות, but they may not bring the fruits  
 down into their חצירות.

According to רבי שמעון they should be allowed to bring the  
 fruits down from the wall to their חצירות.

**2**

היו בראשו פירות

↓  
 They can climb up to eat them  
 The top of the wall is its own רשות



↓  
 They cannot bring the fruits down

↓  
 ?  
 According to רבי שמעון they should be allowed to bring them down?

- 3 The גמרא answers;  
 מאי למטה, למטה לבתים –  
 When the משנה said take things down from the wall, it meant  
 to take things into the house.

3

מאי למטה  
 למטה לבתים

- 4 The בריתא taught by רבי חייא that says they may not even take  
 things into the חצר

is not authoritative, because its terminology was purposely  
 omitted by רבי when he arranged the מושניות, and  
 !וכי רבי לא שנאה רבי חייא מנגין לו

4

בריתא:  
 רבי חייא says  
 not even into the חצר

The בריתא  
 is not authoritative

Its terminology  
 was purposely omitted  
 by רבי

!וכי רבי לא שנאה רבי חייא מנגין לו

- 5 In the previous דף we also learned that רב disagrees with ר' יוחנן,  
 and holds that רבי שמעון only permits carrying items  
 from one חצר to the next on שבת, when the two חצירות each  
 did not make an עירוב. If, however, each חצר has their own  
 עירוב they may not carry from one חצר to the next.

5

רבי שמעון אומר

אחד גגות ואחד חצירות ואחד קרפיות  
 רשות אחת הן

רב  
 When each חצר  
 did NOT make an עירוב

ר' יוחנן  
 בין עירבו  
 בין  
 שלא עירבו

If each חצר  
 HAS their own עירוב

They may not carry  
 from one חצר  
 to the next

6 - אתמר שתי חצירות וחורבה אחת ביניהם אחת עירבה ואחת לא עירבה - In a case of two חצירות, one has an עירוב and the other does not, and there is a חורבה - a ruin in between them, there is a Machlokes as to Rav's opinion in this matter.  
 - אמר רב הונא נותנין אותה לזו שלא עירבה אבל לשעירבה לא - Rav Huna holds that the חצר which does not have an עירוב may carry things into the חורבה, because without an עירוב they cannot bring things from their houses to the חצר, and there is no concern that they will carry items that started off in their houses into the חורבה. The חצר which does have an עירוב, and they are permitted to carry from their houses to the חצר, may not carry to the חורבה, because they might carry things from their houses to the חורבה.

6

אתמר  
 שתי חצירות וחורבה אחת ביניהם  
 אחת עירבה ואחת לא עירבה

רב הונא  
 (ב) נותנין אותה לזו שלא עירבה  
 אבל לשעירבה לא

עירוב לא  
 חורבה  
 עירוב

We're NOT concerned they will carry items from their houses

עירוב  
 We're concerned they will carry items from their houses

7 רבי חייא בר רב says; I heard from Rav אף לשעירבה - we do not distinguish between the חצר that has an עירוב and the חצר that does not have an עירוב, but there are two ways to understand what Rav meant:  
 -1- שתיהן אסורות - neither one may carry into the חורבה -  
 The חצר with the עירוב - because they might also carry items that were in the house.  
 The one with no עירוב - because if we allow them to carry, the other חצר might carry as well.

7

רבי חייא בר רב  
 (ב) אף לשעירבה

2 WAYS to UNDERSTAND

1

שתיהן אסורות

עירוב לא  
 חורבה  
 עירוב

We're concerned The other חצר might carry as well

8 -2- שתיהן מותרות - both may carry into the חורבה, because Rav holds like רבי שמעון - and we are NOT concerned that they will bring things from the house to the חורבה, because it's an unprotected area, as opposed to a חצר which is a protected area.

8

2

שתיהן מותרות

עירוב לא  
 חורבה  
 עירוב

We're NOT concerned they will carry items from their houses to the חורבה because it's an unprotected area

9 משנה the זאגט: (see SB 89)  
 - גג גדול סמוך לקטן הגדול מותר והקטן אסור  
 When a large roof abuts a small roof, we may carry between the large roof and the house below it, because the roof is considered to be surrounded by walls on all four sides, based on גוד אסיק מחיצתא, but the small roof has only three walls, and is נפרץ למקום האסור לה - completely open to an area that is אסור to it.

9 משנה:

## גג גדול סמוך לקטן

הגדול מותר והקטן אסור

10 Similarly,  
 חצר גדולה שנפרצה לקטנה גדולה מותרת וקטנה אסורה מפני שהיא - כפתחה של גדולה  
 A large חצר bordering on a small חצר - it is מותר to carry from the houses in the large חצר to the חצר, but not in the small one, because the small חצר is considered - כפתחה של גדולה - like the entrance of the large חצר - assuming that its width is less than 10 אמות.

10

## חצר גדולה שנפרצה לקטנה

גדולה מותרת וקטנה אסורה

נפני שהיא כפתחה של גדולה

11 - למה ליה למתני תרתי  
 The Gemara asks why the משנה has to teach both the הלכה of the two גגות and the two חצירות?  
 According to רב who would not apply גוד אסיק מחיצתא in a case where the roof overhangs the walls, the juxtaposition of these הלכות teaches that the roof in the משנה is one that does NOT overhang the walls, making the walls recognizable, just like walls of a חצר are הניכרות.  
 According to שמואל who would apply גוד אסיק even where the roof overhangs the walls, the juxtaposition of the הלכות teaches that the wall separating the two roofs is walked over by many people, just like the space between the חצירות, and that is why we do not say גוד אסיק on that wall, leaving the small roof totally open to the big roof.

11

## למה ליה למתני תרתי?

According to שמואל

The wall is walked over by many people

just like a חצר

That's why we do not say גוד אסיק on the wall leaving the small roof

According to רב

גוד אסיק מחיצתא would not apply where the roof overhangs the walls

just like a חצר מחיצות הניכרות

12 The Gemara continues:  
 - דיורי גדולה בקטנה ואין דיורי קטנה בגדולה  
 The residents of the large חצר have some rights in the small one, and to a degree the small חצר is considered an extension of the large חצר, but not vice versa.  
 The Gemara gives five applications of this principle.

-1- First, if grapevines are planted in the large one, one may not plant vegetables in the small one - and doing so would make the vegetables, but not the grapes, אסור. However when grapes are planted in the smaller חצר we may plant vegetables in the large one.

12

5 APPLICATIONS:

1

13 -2- Second, if a man puts a גט in a small חצר while his wife is in the large חצר, she is divorced, but in the reverse case she is not.

-3- Third, if a ציבור is in the large חצר, and the שליח ציבור is in the small one, they are יוצא their תפילה, but not vice versa.

13

2

3

14 -4- Fourth, if nine men are in the large חצר and one is in the small חצר they combine for a מנין, but not vice versa.

-5- Finally, if there is צואה - excrement in the large חצר it is אסור to say שמע in the small חצר, but if it were reversed it would be כותר to say שמע.

14

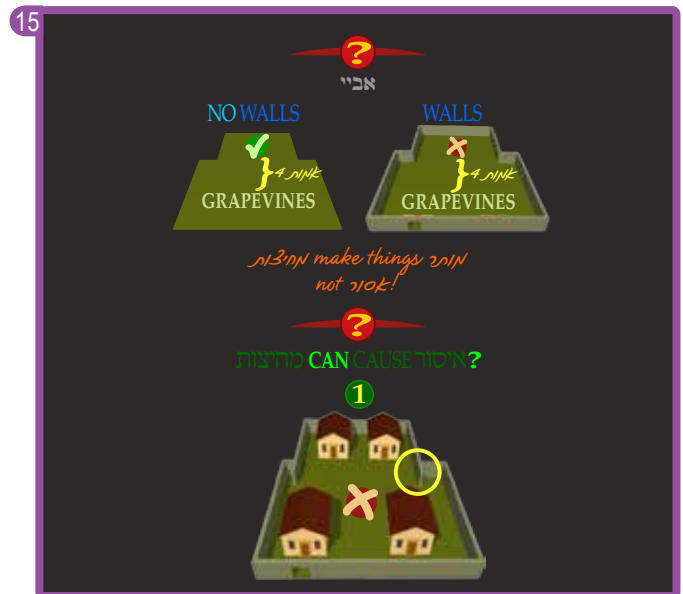
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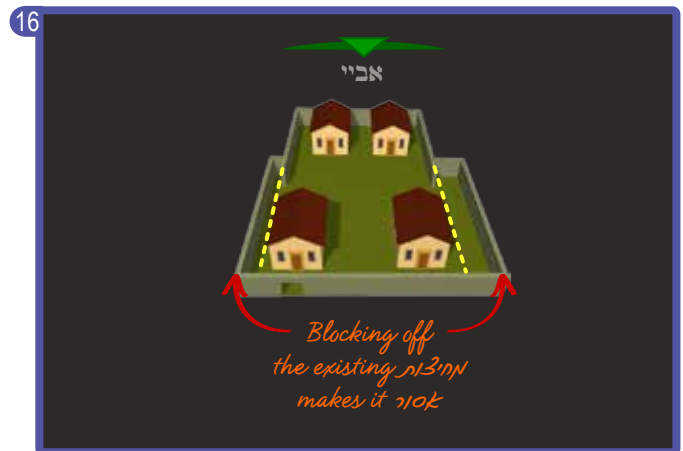
15 The small חצר is an extension of the large חצר, but the large חצר is not an extension of the small חצר.  
 Also - the minority is drawn to the majority, but the majority is not drawn to the minority.  
 אביי points out that it is strange that had there been no walls, from the perspective of the large חצר one would be allowed to plant vegetables in the small חצר after distancing them just four אמות, but now that the large חצר has partial walls on both sides of the entrance, it is אסור to plant anywhere in the small חצר - after all, מחיצות make things מותר, not אסור!

The גמרא challenges אביי by bringing four examples where we find that מחיצות cause an אסור, instead of preventing one:

-1- First, if the side walls of the small חצר extend into the large חצר, it makes it אסור to carry in the large חצר!



16 אביי answers that it's not the addition of מחיצות that creates the אסור, but the blocking off of the previously existing מחיצות.



17 -2- Second, סיכך על גבי אכסדרה שיש לה פצימין -  
 If one puts סכך on an area with two parallel walls and side posts of a טפח on the third side, it is a valid סוכה, but when walls are added that block off the side posts, leaving just the two walls, it is not a סוכה.

Again, אביי answers that it's not the addition of מחיצות that creates the פסול, but the blocking off of the posts that originally served as the third wall.

We will discuss the next two challenges to אביי in the next, דף, בע"ה.

