

- 1 In the previous דף we learned that in order to discard waste from a boat, one has to spill it along the outer wall of the boat and let it drip into the ocean on its own. The גמרא points out that although כחו, doing מלאכה in an indirect way, is normally אסור, the חז"ל were never גוזר against transferring to a כרמלית through כחו.



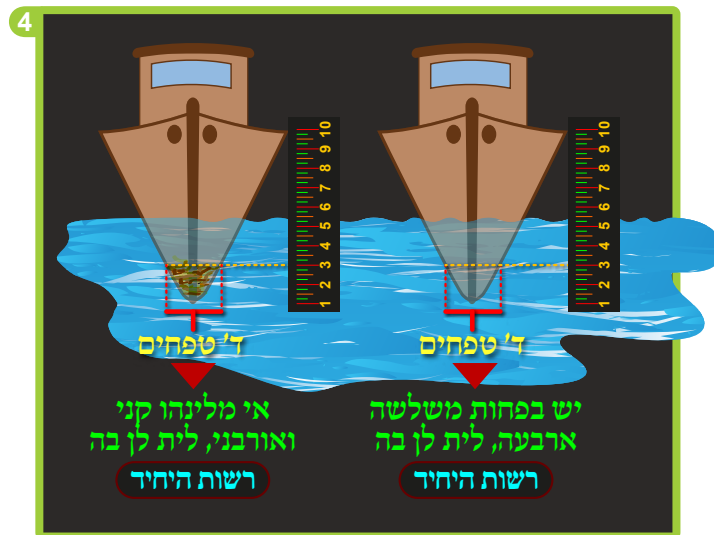
- 2 The fact that חז"ל never prohibited הוצאה to a כרמלית through כחו is learned from רבי יהודה's opinion regarding ספינה עמוקה עשרה ואין גבוהה עשרה מטלטלין מתוכה לים אבל לא מן הים לתוכה -
A boat whose walls are ten טפחים high from the inside and less than 10 טפחים above the surface of the ocean from the outside - One may transfer from the boat to the ocean, but may not transfer from the ocean to the boat. The only explanation for the difference is that transferring from the boat to the ocean can be done through כחו - by pouring it on the wall - which is permissible since the ocean is a כרמלית, but drawing water requires lifting it from the ocean to the boat, a direct action which is אסור from a כרמלית to a רשות היחיד.



- 3 - אמר רב הונא הני ביצאתא דמישן - Small boats that were used to navigate the narrow Meishan River, one may not carry four אמות in the boat, because they are considered a כרמלית. Rashi explains the bottom of the boat came to a point, similar to a canoe. At the point that the boat reaches a width of four טפחים, the walls of the boat are מחיצה תלויה - considered hanging walls, which are invalid מחיצות.



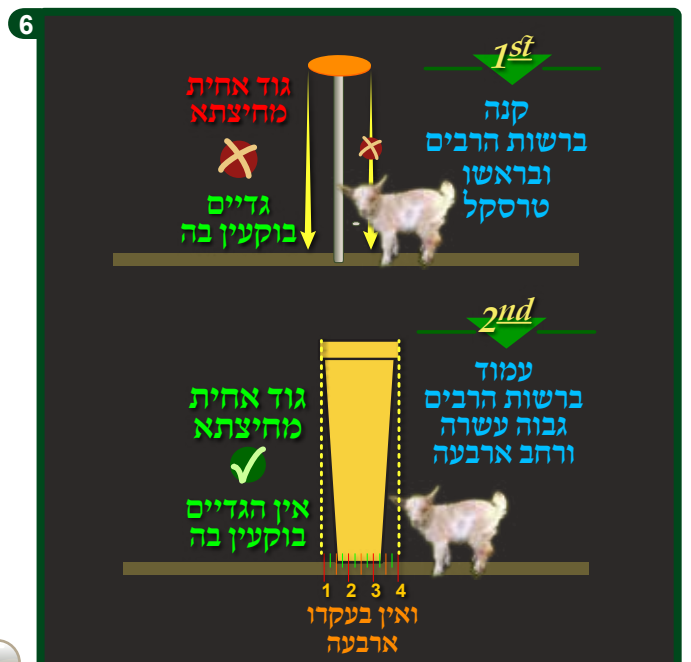
- 4 There are two exceptions to this rule:
 -1- יש בפחות משלשה ארבעה לית לן בה -
 If the boat reaches a width of four טפחים within three טפחים from the floor of the boat, it is considered a רשות היחיד, because the walls are considered reaching the floor based on לבוד.
 -2- אי מלינהו קני ואורבני לית לן בה -
 If the bottom of the boat is filled with reeds and branches to the point where it's 4 טפחים wide, the floor is considered raised and the boat is a רשות היחיד.



- 5 מתקיף לה רב נחמן ולימא גוד אחית מחיצתא -
 Rav Nachman disagrees with Rav Huna and holds that these boats are a רשות היחיד, because the walls of the boat are considered to extend downward based on the Halachic principle of גוד אחית מחיצתא -
 The Halacha views hanging walls as if they extend down to the ground below.



- 6 The Gemara brings 2 contrasting examples.
 -1- קנה ברשות הרבים ובראשו טרסקל - A board of 4 x 4 טפחים on top of a pole.
 According to the חכמים the surface of the board is NOT a רשות היחיד. We cannot apply the principle of גוד אחית מחיצתא because גדיים בוקעין בה - Kid goats can run under it, nullifying the Halachic imaginary wall.
 -2- עמוד ברשות הרבים גבוה עשרה ורחב ארבעה - A post which is 10 טפחים high and 4 x 4 טפחים wide. However, Its base is not 4 x 4, but somewhat tapered.
 The top of the pole IS a רשות היחיד. In this case we can apply the principle of גוד אחית מחיצתא, because אין הגדיים בוקעין בה -
 The kid goats cannot run under it because of the thickness of the post.



7 Here too, in the case of the boat - says Rav Nachman - we can apply גוד אחית מחיצתא because the kid goats cannot run in the water under the boat. - בקיעת דגים לא שמיה בקיעה - adds רב אשי. The fact that fish can swim through the imaginary walls does not nullify their status as walls.

Rav Ashi is supported by a ברייתא that says אין מחיצה תלויה מתרת אלא במים - A hanging מחיצה only works to form a מחיצה when hanging above water even though fish can swim through.



8 The Gemara continues by referring back to the Mishnah. - ספינות קשורות זו בזו מטלטלין מזו לזו - If two boats are tied to each other you can carry from one to the other. The Gemara asks what the חידוש is - of course you can carry from one to the other - they are both היחיד! First the Gemara answers להתיר ביצית שבניהן - אמר רבא לא נצרכה אלא - the משנה is teaching that even if they are connected through a small boat you can carry through the small boat.

Rav Safra asks that this doesn't seem to be the פשט of the משנה which specifically talks about carrying מזו לזו, from one boat to another?



9 - אלא אמר רב ספרא לא נצרכה אלא לערב ולטלטל מזו לזו - Rather, Rav Safra says that the חידוש of the משנה is that even if the boats are owned by two different people, you can make עירובי חצירות between the two boats and carry from one to the other.

However, only when tied, as the Mishnah continues; - אם אינן קשורות אע"פ שמוקפות אין מטלטלין מזו לזו - If they are not tied - even though they are next to each other - one may NOT carry from one to the other because we're concerned they may drift apart.

Similarly the following Braisa teaches: נפסקו נאסרו - If they became separated one may not carry from one to the other. As rashi says; - בטל העירוב מפני שנפרדות - The Eiruv is nullified, because עירובי חצירות was only enacted by the חכמים to join adjacent properties.



10 The Eiruv also teaches that if an עירוב was made between two boats, and then they were detached from each other, and then were re-attached on שבת, whether באונס במוטעין - by accident, on purpose, unwillingly, or mistakenly, the עירוב goes back into effect.

The same would be true by מחיצות that are made on שבת - שכל מחיצה שנעשה בשבת בין בשוגג בין במזיד שמה מחיצה - All מחיצות that are made on שבת - whatever the intention - are considered to be Halachically valid מחיצות.
 There is one exception - if they were put up on שבת במזיד, one would be אסור מדרבנן to carry within these מחיצות.
 The explanation is - מחיצות they are valid מן התורה - and therefore, if they were put up בשוגג one may carry inside - OR with regard to being חייב for throwing something from a רשות הרבים into them, they are valid מחיצות. However, the חכמים forbade carrying within these partitions קנס - as a penalty for doing it במזיד.

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בשוגג - במזיד
 באונס - במוטעין
The עירוב goes back into effect

... מחיצות that are made on שבת...

שכל מחיצה שנעשה בשבת בין בשוגג בין במזיד שמה מחיצה

משם קנס

11 - אמר שמואל ואפילו קשורות בחוט הסרבל
 The Eiruv is valid even if the boats are tied with string normally used to tie clothing. The גמרא explains that this string can only work if it is strong enough to hold the boats together. Although שמואל required a metal chain to transmit טומאה from a dead body to a boat, the requirement for metal is only due to חרב הרי הוא כחלל, metal items that touch a dead body have the same level of טומאה as the dead body, but when it comes to connecting boats for שבת anything strong enough to hold the boats together would suffice.

11 אמר שמואל...

ואפילו קשורות בחוט הסרבל