

OVERVIEW of the Daf

1) Floating objects

Rava asks about liability if one transports a nut that was in a utensil which was itself floating on water. Do we follow the nut which was at rest in the utensil, or do we follow the utensil that was floating on the water; the Gemara leaves the question unanswered.

The Gemara states that oil floating on wine would be a disputed issue whether we consider the oil to be floating on the wine or at rest on the wine.

2) Nullifying a private domain

Abaye rules: If one throws a mat into a pit which is in a public domain that is ten tefachim deep and eight tefachim wide, he is liable. If the mat bisects the pit into two he is exempt because neither half of the pit has the necessary dimensions of a private domain.

The Gemara explains how Abaye's position differs from R' Yochanan's (צ"ט)

Abaye rules: If a pit in a public domain has the dimensions of a private domain and it is filled with water it retains its status of a private domain. If, however, it was filled with fruit it loses its status of a private domain. A Baraisa supports Abaye's position.

3) **MISHNAH:** The laws regarding throwing an object are presented.

4) Liability for throwing objects

R' Yochanan explains: The circumstance of the Mishnah where one is liable for throwing an object onto a wall is limited to a case where the object adheres to the wall.

R' Yehudah in the name of Rav in the name of R' Chiya states: There is a dispute regarding liability if a person throws an object from a public domain and it lands in a crevice in the wall. According to R' Meir if the wall is sufficiently thick it is considered a private domain and consequently he is liable according to Rabanan he is not.

R' Yehudah in the name of Rav rules: If someone threw an object from a public domain that landed on a mound that slopes to a height of ten tefachim in the span of four amos he is liable.

5) **MISHNAH:** The Mishnah continues to discuss the laws of throwing objects.

6) Clarifying the Mishnah

R' Yochanan explains: Liability for throwing an object will occur only if the object came to rest on something. A Baraisa supports R' Yochanan's statement.

Rava states: According to Rabanan even an object within three tefachim must come to rest on something for there to be liability.

Ravina questions the necessity of Rava's statement and Mereimar explains its significance.

7) **MISHNAH:** The Mishnah discusses the laws of throwing objects into the sea or a puddle in the public domain.

8) Clarifying the Mishnah

Rava, Abaye and R' Ashi suggest different explanations why the Mishnah repeats the case of the shallow puddle.

9) **MISHNAH:** The laws of throwing an object from the sea or from a ship at sea are presented.

10) Drawing water from the sea

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Distinctive INSIGHT

Sailing Souls

ספינות קשורות זו בזו מטלטלין מזו לזו, אם אינן קשורות אף על פי שמוקפות אין מטלטלין מזו לזו

Friendship and brotherhood among people is a tremendous aspect of human relations. When people cooperate together they elicit from each other fine qualities and refined character traits. Strong bonds of friendship create an environment of creative competition and pride in each others accomplishments, and growth in spiritual as well as the physical realm can be maximized. "Each man will help his fellow, and to his brother he would say, 'Be strong!' " (Yeshayahu 41:6).

Yet, this ideal situation can develop only when the bonds of friendship are strong. When the care and concern for one another is deep and heartfelt, the effects of support and teamwork can be significant. However, if the level of mutual cooperation is merely superficial, and there is no genuine love between these individuals, the positive outcome will not materialize.

The Rebbe, Reb Dovid Moshe of Chortkov, zt"l shows how this message is indicated within the words of our Mishnah. The Jewish soul is compared to a boat. It is hewn from a pure source, and it is cast upon the waters of this world to fulfill its mission. Sometimes the waters upon which the boat glides are calm, and occasionally the boat has to endure stormy conditions. Ultimately, after it has completed its task, the soul, which is likened to the boat, returns to its port of origin with the goods it has accumulated.

If the boats are tied together, referring to conditions when the Jewish people are connected to one another, we can carry from one to the next. This hints at the fact that the connection allows the positive traits which one person has can influence others. We can draw strength from each other, and we can benefit from each other. The goodness which one person sees in his friend can be utilized and enhanced.

If the boats are not tied together, even being in close proximity to one another cannot bridge the gap between them. The analogy is to a situation where the bond of love and friendship between souls is not secure. In this case, we cannot carry from one to the next. Without this forging of relationships, the resources which one person has to share fail to help his fellow man.

The lesson is that the Jewish people can accomplish great things if they remain tied together. The mutual pooling of efforts and encouragement will result in our journey to promote the glory of heaven being as productive as possible, and our mission as individuals and as a nation will succeed in its purpose. ■

REVIEW and Remember

1. Explain חוקקין להשלים.

2. What is a תל המתלקט?

3. How deep can a puddle be and still be considered a public domain?

4. What is the point of dispute (between R' Huna and R' Chida etc.) regarding how a karmelis is measured?

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in loving memory of our mother, and grandmother
Mrs. Edith Sheinfeld o'h , Ita Feigel bat Elymelech & Fruma
From the Sheinfeld family

HALACHAH Highlight

Shabbos Domains

איתמר ספינה רב הונא ... רב הונא אמר מוציא הימנה זיו כל שהוא וממלא קסבר כרמלית מארעא משחינן ואוירא מקום פטור הוא

It was stated: A ship, Rav Huna said... Rav Huna said: They extend a ledge from it, no matter how small, and he fills [a bucket]—he maintains that [the ten tefachim] of a karmelis is measured from the floor [of the body of water], and the air [above the ten tefachim] is a makom patur.

There are four domains that pertain to Shabbos: Reshus ha'yachid, reshus ha'rabbim, carmelis and makom patur.¹

- A **רשות היחיד** is an area enclosed by walls that are at least ten tefachim high. The size of the area must be at least four by four tefachim. A reshus ha'yachid may, however, extend several miles in each direction, if its perimeter was [originally] enclosed for the purpose of habitation and its doors are closed at night. An animal pen or corral, even a trench that is ten tefachim deep and four by four tefachim in area at its bottom, or a mound that is ten tefachim high and four by four tefachim in area at its top, are all reshuyos ha'yachid.

Both the tops of, and the nooks in, the walls surrounding a reshus ha'yachid are part of that reshus ha'yachid.

- A **רשות הרבים** is a street or marketplace that is: a) at least sixteen amos wide by sixteen amos long; b) that runs in an uninterrupted line from one gate of the city to another gate of the city; and, c) that six hundred thousand people traverse.

Any object present in a reshus ha'rabbim that is not three tefachim high is considered part of the surface of the reshus ha'rabbim. This is true even if the object is one that people avoid stepping upon, such as thorns or excrement. If the object is between three and nine tefachim in height and four by four tefachim in area, it is a carmelis. If it is less than four by four tefachim, then it is a makom patur. If the object is between nine and ten tefachim high and people make use of its top to shoulder their loads, then it is part of the reshus ha'rabbim - even if it is less than four by four tefachim in area.

An object in a reshus ha'rabbim that is ten or more tefachim high and four by four tefachim in area is a reshus ha'yachid. If the object is less than four by four tefachim, it is a makom patur - even if it is large enough that a four by four surface could be hewed in it somewhere beneath the height of ten tefachim.

(Insight...continued from page 1)

There is a dispute between R' Huna, on the one hand and R' Chisda and Rabbah bar R' Huna on the other hand regarding the permissible method to draw water from the sea on Shabbos.

The Gemara unsuccessfully challenges both views. ■

A hole in a reshus ha'rabbim that is shallower than three tefachim is part of the reshus ha'rabbim. If the hole is between three and ten tefachim in depth and is also four by four tefachim in area, it is a carmelis. If it is less than four by four tefachim, then it is a makom patur.

- A **כרמלית** is a place that is not intended to serve as a thoroughfare for masses. Examples of carmelis include a lake [or sea], an area encompassing many cultivated fields, areas [in front of stores that line a reshus ha'rabbim] designated for storekeepers to sit in, areas [designated for peddlers to hang their wares] between pillars that interrupt a reshus ha'rabbim, the raised platforms surrounding those pillars [designated for peddlers to sit upon], and streets that come off a reshus ha'rabbim at an angle. [This category] includes streets surrounded by three walls that do not possess a post or beam on the fourth side [to set them off from the adjacent reshus ha'rabbim]. [Other categories of carmelis] include a reshus ha'rabbim that has been roofed over, an area completely enclosed by walls that are not ten tefachim high, mounds that are four by four tefachim in area, but not ten tefachim high, and trenches that are four by four tefachim in area but not ten tefachim deep.

- A **מקום פטור** is either: a) an object that is not four by four tefachim in area, yet is higher than three tefachim above the ground (even as high as the sky); or, b) a trench that is not four by four tefachim in area, but is deeper than three tefachim beneath the ground. Similarly, if walls higher than three tefachim above the ground enclose an area that is less than four by four tefachim in size, even if that area is very long [and narrow], it is a makom patur. (Bayis Chadash ["Bach"] notes that in light of the Tur's previous ruling it seems that these parameters of makom patur only apply to an object or trench in a reshus ha'rabbim, while in a carmelis we would apply the principle of "matza min es mino." As the Bach himself notes, others disagree and draw a distinction between trenches - that are assimilated into the surrounding carmelis; and outcroppings and objects - that are not. ■

¹ This material is excerpted from *The Contemporary Eruv: Eruvin in Modern Metropolitan Areas* by Rabbi Yosef Gavriel Bechhofer; it is reprinted here with permission. The passages here are a translation of *Tur (Orach Chaim #345)* ■

Gemara GEM

Fruit Filling

ואמר אביי בור ברשות הרבים עמוקה עשרה ורחבה ארבעה מלאה מים חייב, מלאה פירות וזרק לתוכה פטור. מאי טעמא - מים לא בבטלי מחיצתא, פירות מבטלי מחיצתא.

Our Gemara states that the fruit in a pit are legally seen as permanent filler, and the dimensions of the void are now cancelled. Ramban explains that this does not mean that a person would be exempt if he tossed fruit into a pit. In this case, the walls of the pit were clearly defined, and placing fruit into a **רשות היחיד** is **חייב**. What is does mean is that once the fruit is already in the pit, if someone would now place an object upon the fruit in the pit, the object is not considered in the

pit, which would have meant that he would have been liable for placing an object in the **רשות היחיד**. Rather, the item is on a filled-in pit. The fruit effectively has cancelled the emptiness of the void.

The Rishonim each clarify the halacha of fruit in a pit being considered as permanently placed. This has to be understood in contrast to the Gemara earlier (99b) where tossing a clod of dirt into a pit is only considered to be a permanent filler of the pit because the person will obviously leave the dirt in the earth. The intent of the person can be assumed because the pit and the earth being tossed are one and the same. It is for that reason that a sticky date being thrown against a wall is not considered as part of the wall, because it is clear that it will be eventually be removed from where it stuck against the wall. Why, then, is the fruit placed in the pit in our Ge-

mara seen as permanent, when it should be evaluated in the same terms as the sticky date on 99b?

Tosafos answers that a sticky date will be removed from the surface of a wall much quicker than fruit which is placed in a pit, which many stay there for an extended amount of time. Whereas even the fruit will not stay there forever, it being placed there is for an indefinite period, and during that time the pit is considered full. Alternatively, we can say that a sticky date is a small item, and it will not be left where it is. A pit filled with fruit, or even if it is half filled, is a significant volume, and it cannot be ignored in terms of the space it fills. The walls of the pit and the void within it are affected by the contents, even though the fruit may be removed later. ■