



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Eiruvin Daf Tzaddik Tes

U'VILVAD SHELO YOTZI CHUTZ

- The Mishna seems to say that if he would move it 4 amos he would be chayuv. This is so even though our Mishna may be discussing a case where the person is standing on a roof, lifts the item from the reshus harabim to above 10 tefachim, moves it 4 amos, and puts it down in the reshus harabim. This would support **Rava**, who says that one would be chayuv in this case.
 - It could be that the Mishna means it would be assur, but not that he would be chayuv.
 - **Another version** says, the Mishna seems to say that if one does carry in this way it will be assur, but he will not be chayuv. This is problematic according to **Rava**!? The Gemara answers, the Mishna may mean that if one carried in this way he would be chayuv.

LO YA'AMOD ADAM BIRSHUS HAYACHID...

- **R' Yosef** said, one who does urinate or spit from reshus to reshus would be chayuv a chatas.
 - **Q:** The akira is from a place that is less than 4x4 tefachim, so he should not be chayuv!?
A: His intent to move the urine or saliva from its current location is enough to make it be considered an akira from a significant place (even though the place is less than 4x4).
 - We find that **Rava** says this same concept when he says that one is chayuv for throwing something into the reshus harabim that lands in a dog's mouth or in an oven in the reshus harabim, even though it is less than 4x4 (because of his intent).
- **Q: Rava** asked, if his body is in the reshus hayachid, but his eiver is in the reshus harabim, and he urinates into the reshus harabim, would he be chayuv (do we follow the place of the bladder or of the eiver)? **A: TEIKU.**

V'CHEIN LO YAROK. R' YEHUDA OMER...

- **Q: R' Yehuda** seems to say that saliva is considered detached in his mouth even before he swirls it around his mouth. A Mishna says that **R' Yehuda** requires the saliva to be swirled around before being considered as detached from his body!? **A: R' Yochanan** said that **R' Yehuda** originally held one way and then later changed his view. **A2: Reish Lakish** said, our Mishna is talking about phlegm, which is considered detached without swirling, and the other Mishna is discussing saliva, which is only considered to be detached after swirling.
 - **Q:** A Braisa seems to say that **R' Yehuda** says neither needs to be swirled!? **A:** That refers only to phlegm.
 - **Q:** A Braisa clearly says that he treats them both as detached without swirling!? **A:** We must use **R' Yochanan's** answer.
- **Reish Lakish** said, we learn from a pasuk that one who spits out phlegm in front of his rebbi is chayuv misah from Heaven.

MISHNA

- A person may not stand in the reshus hayachid and drink from a cup in the reshus harabim, or visa-versa, unless his head and most of his body are in the reshus together with the cup. The same halacha applies when drinking from a winepress.

GEMARA

- **Q:** The beginning of this Mishna (i.e. the last Mishna, which was not goizer) follows the **Rabanan** and this part of the Mishna follows **R' Meir**!? **A: R' Yosef** said, in this case, because we are dealing with an item that the person really needs, even the **Rabanan** would be goizer.
- **Q:** What would the halacha be if one of the 2 reshus in this case would be a karmelis? **A: Abaye** says it would be treated the same way.
 - **Q: Rava** asked, that would be making a gezeirah on top of another gezeirah!? **A: Abaye** said, the Mishna gives an additional example of a winepress, which is a karmelis, and

says the halacha is the same. **Rava**, however, says that the case of the winepress is not about Shabbos, it is about ma'aser, which must be given only if one drinks the wine in a more "kavua" (settled) way.

MISHNA

- A person in the reshus harabim may hold a keili in the air to catch water coming from a gutter pipe (which is often within 3 tefachim to the house) that is within 10 tefachim to the ground of the reshus harabim. From a drain pipe (which always protrudes more than 3 tefachim from the wall of the house), he may even drink directly from the pipe.

GEMARA

- The Mishna allows catching water from the gutter in a keili, but not drinking from it directly. **R' Nachman** explains, this is so because the Mishna discusses a gutter that is within 3 tefachim to the roof, and therefore has the status of a reshus hayachid as well. There are Braisos that agree with this as well.
- One may drink directly from the drainpipe only if the pipe is itself less than 4 tefachim. If it is 4 tefachim, it is considered to be its own reshus and one who is standing in the reshus harabim may therefore not drink directly from it.

MISHNA

- If there is a "bor" (watering hole) in the reshus harabim with a mound around it which is 10 tefachim high, if one has a window that opens to the area on top of it, he may fill water and bring it in the window on Shabbos.
- If there is a garbage dump which is 10 tefachim high and situated in the reshus harabim, if there is a window that opens to the area on top of it, one may spill water from that window onto the garbage dump.

GEMARA

- **Q:** If the house is within 4 tefachim to the bor, why do we need a mound of 10 tefachim to make it permissible (the area in between would be a makom petur)!? **A: R' Huna** said, the house is more than 4 tefachim away. If there was no mound, he would be drawing water from a reshus hayachid (the bor) and carrying it through the reshus harabim to his house. That is why we need the mound. **A: R' Yochanan** said, the house may be within 4 tefachim to the bor. The reason the Mishna says there is a mound is to teach the concept that the depth of the bor and the height of the mound may combine to reach the necessary size of 10 tefachim.

ASHPA BIRSHUS HARABIM...

- **Q:** We find that **Rebbi** does not allow using a garbage dump as a reshus hayachid based on its height of 10 tefachim, because he is concerned that a garbage dump may be removed!? **A: Rebbi** was concerned by a garbage dump owned by an individual, which gets removed from time to time. The Mishna is discussing one owned by the community, which doesn't get removed.

MISHNA

- If the branches of a tree bend over and come close to the ground (leaving empty space between them and the trunk), if the branches reach to within 3 tefachim of the ground, one may carry within the enclosure that the branches create.
- If roots of a tree rise 3 tefachim above the ground, one may not sit on them because they are considered to be a tree.

GEMARA

- **R' Huna the son of R' Yehoshua** said, to be allowed to carry there, the area under the branches may not be larger than a beis sasayim. This is because the purpose of the area is to provide shade for workers or watchmen who tend to the fields outside. The halacha is, to carry in an enclosure whose principle purpose is to serve the outside, the enclosure may not be larger than a beis sasayim.