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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Rabbi Yehudah ruled: even in a graveyard. A Tanna taught: Because a man can put up a partition and pass [through it] in a carriage, box or portable closet. He is of the opinion that a movable tent has the status of a [fixed] tent.[1] - And [they differ on a principle which is the subject of] dispute among the following Tannaim. For it was taught: If a man enters a foreign country (outside of Eretz Yisroel) [riding] in a carriage, box or portable closet he is, Rebbe ruled, tamei, but Rabbi Yosi son of Rabbi Yehudah declares him to be tahor. On what principle do they differ? One Master is of the opinion that a movable tent has not the status of a valid tent and the other Master maintains that even a movable tent has the status of a valid tent. – And that which was taught: 'Rabbi Yehudah ruled: An eiruv for a tahor Kohen may be prepared from tahor terumah [and deposited] on a grave.' How does he get there? — In a carriage, box or portable closet. But since [the eiruv] was put down [on the grave] it became tamei? — [This is a case] where [the eiruv] was not rendered susceptible to tumah or one kneaded in fruit juice.[2] But how does he get it?[3] — By means of flat wooden pieces which are unsusceptible to tumah. - But doesn't [a wooden piece] constitute a tent? — One might carry it at its narrow end. If so, what could be the reason of the Rabbis? — They are of the opinion that a home must not be acquired with things the benefit of which is forbidden.[4] Thus [it follows] that Rabbi Yehudah is of the opinion that this is permitted; for he upholds the view that the commandments were not given [to men] to derive [personal] benefit from them.

With reference, however, to what Rava stated: 'Commandments were not given [to men] to derive benefit from them', must it be said that he made his traditional statement in agreement with [one of the] Tannaim only? — Rava can answer you: Had they been of the opinion that an eiruv may be provided in connection with a mitzvah only all [would have been unanimous, since] mitzvos were not given [to man] to derive benefit from them. Here, however, they differ on the following principle. The Master [R' Yehudah] is of the opinion that an eiruv may be prepared in connection with a mitzvah only and that Master [the Rabbis] are of the opinion that an eiruv may be prepared even in connection with a secular matter.

In respect, however, of what Rav Yosef ruled: 'An eiruv may be prepared only in connection with a mitzvah', must it be said that he land down his traditional ruling in accordance with [the view of one of the] Tannaim? — Rav Yosef can answer you: All [agree that] an eiruv may be prepared in connection with a mitzvah only, and all [may also agree that] the mitzvos were not given [to men] to derive benefit from them, but It is this principle on which they differ. The Master [R' Yehudah] is of the opinion that once a man has acquired

[1] And constitutes a valid partition or partition between the man and a tamei object.

[2] Which, unlike water, does not render foodstuffs with which it comes in contact susceptible to tumah.

[3] The eiruv on the grave when he wishes to cat it. An eiruv according to Rabbi Yehudah, is not effective, unless the man for whom it is prepared is able to eat.

[4] It is forbidden to have any benefit from a grave, a shroud or any of the requirements of a corpse. Hence the Rabbis' prohibition of the use of a grave for an eiruv not only in the case of a Kohen but also in that of an Israelite. The mention of a Kohen merely indicates the extent of Rabbi Yehudah's leniency: Not only is an Israelite permitted but also a Kohen.

the eiruv it is no satisfaction to him that it is preserved,[5] and that Master [the Rabbis] are of the opinion that a man does derive satisfaction if his eiruv is preserved; for [in that case] he can eat it whenever he needs it. (30b – 31a)

MISHNAH: An eiruv may be prepared with demai, with maaser rishon from which its terumah had been taken and with maaser sheini and consecrated [food] that have been redeemed; and Kohanim [may prepare their eiruv] with challah. [It may] not [be prepared], however, with tevel, nor with maaser rishon the terumah from which has not been taken, nor with maaser sheini or consecrated [food] that have not been redeemed. (31a)

GEMARA: DEMAI, surely is not fit for him! — Since he could, if he wished, declare his estate to be hefker, and thereby become a poor man when it would be fit for him, it is now also deemed to be fit for him. For we learned: It is permitted to feed poor men and soldiers with demai. Rav Huna stated: One taught: Beis Shammai ruled: Poor men may not be fed with demai, and Beis Hillel ruled: Poor men may be fed with demai. (31a – 31b)

And with maaser rishon from which [its terumah] had been taken etc. Isn't this obvious? - [The ruling was] required in the case only where [the Levi] preceded the Kohen while [the grain was still] in the ears and from [his maaser rishon] was taken terumah of the maaser but no terumah gedolah; and this is in agreement with a ruling made by Rabbi Avahu in the name of Rish Lakish. For Rabbi Avahu stated in the name of Rish Lakish: Maaser rishon that was set apart, before [the other dues, while the grain was still] in the ears, is exempt from terumah gedolah, for it is said: *And you shall separate from it Hashem's terumah, a tithe part of the tithe.* A tithe from the tithe is what I have told you, not the *terumah gedolah* plus the *terumah* of the tithe from the tithe.

[**The *Gemora* is referring to a case where the *Levi* preempted the *Kohen*, and took his *ma'aser rishon* when the grain was still "in its ears" (*before the produce was smoothed in a pile – it therefore is regarded as being "not finished"*) before the *Kohen* received his *terumah*. The *Levi* is exempt from giving *terumah gedolah* to the *Kohen* even though he has gained because of it. Ordinarily, a *Yisroel* gives one-fiftieth to the *Kohen* for *terumah* and one-tenth to the *Levi* as *ma'aser*. If he has one hundred bushels, he would give two bushels to the *Kohen* and 9.8 to the *Levi*. Here, the *Levi* received ten whole bushels. This exemption is derived from the following verse: *When you (the Levi) accept from the Children of Israel the ma'aser, you shall separate from it a tenth (to give to the Kohen) from a tenth (which he received from the Yisroel)*. This implies that the *Levi* is not required to give the *terumah gedolah* to the *Kohen*. This exemption, however, only applies when the *Levi* received the *ma'aser* before the produce was "finished." If, however, it was already smoothed into a pile, the *Levi* would be required to give *terumah gedolah* (*one-fiftieth*) to the *Kohen* besides the tenth of the tenth – *terumas ma'aser*.**]

Rav Pappa asked Abaye: If this is so, then even if the *Levi* preempted the *Kohen* when the grain was smoothed in the pile, he should be exempt from the obligation of separating *terumah gedolah*? And Abaye answered him: Regarding your question the Torah says: *from all your gifts you shall separate*. But why do you see fit to include the case of when the produce was smoothed in the pile, and to exclude the case of produce "in the ears"? I include the case of produce smoothed in the pile because it is regarded as "grain," and I exclude the case of produce in the ears because it does not come under the title of "grain." (31b)

And with maaser sheini and consecrated [food] that have been redeemed. Isn't this obvious? — [The ruling was] required in the case only where the principal was paid but not the fifth; and this teaches us that [the omission to pay] the fifth does not invalidate the redemption. (31b)

[It may] not [be prepared,] however, with tevel. Isn't this obvious? — [The ruling was] necessary in such a case only as

[5] Since the main object for which the eiruv was prepared has already been achieved. Its preservation of the grave is therefore of no benefit to him.

Rabbinical tevel as, for instance, when [produce] was sown in an unperforated pot. (31b)

Nor with maaser rishon the terumah from which has not been taken. Isn't this obvious? — This was necessary in such, a case only where [the Levite] preceded the Kohen [in taking his due when the grain was already] in the pile, and terumah of the tithe was taken from it, while terumah gedolah was not taken from it. It might consequently have been assumed [that the ruling is] as Rav Pappa submitted to Abaye, hence we were informed [that the ruling is] in agreement with the latter's reply. (31b)

Nor with maaser sheini and consecrated [food] that have not been redeemed. Isn't this obvious? — [The ruling was] required in that case only where they were redeemed but their redemption was not performed in the prescribed manner; where the maaser [for instance] was redeemed with a piece of uncoined metal, whereas the Torah ordained, 'And you shall bind up the money,' [implying that] the metal must be coined; and where the consecrated [food] was exchanged for a plot of land, whereas the Torah ordained, 'And he shall give the money... and it should be assured for him'. (31b)

MISHNAH. If a man sends his eiruv by the hand of a deaf-mute, a deranged person or a minor, or by the hand of one who does not admit [the principle of] eiruv, the eiruv is not valid. If, however, he instructed another person to receive it from him, the eiruv is valid. (31b)

GEMARA: Isn't a minor [qualified to prepare an eiruv]? Didn't Rav Huna in fact rule: A minor may collect [the foodstuffs for] the eiruv? — This is no difficulty since the former refers to an eiruv of boundaries while the latter deals with an eiruv of courtyards. (31b)

Or by the hand of one who does not admit [the principle of] eiruv. Who? — Rav Chisda replied: A Cuthean. (31b)

If, however, he instructed another person to receive it from him, the eiruv is valid. But is there no need to provide against the possibility that [the minor] might not carry it to him? — As Rav Chisda explained elsewhere, 'Where [the sender] stands and watches him', here also [it may be explained:] Where he stands and watches him. But is there no need to provide against the possibility that [the agent] would not accept it from him? — As Rav Yechiel explained elsewhere, 'It is a legal presumption that an agent carries out his mission, so here also [it may be explained:] It is a legal presumption that an agent carries out his mission.

Where were the Statements of Rav Chisda and Rav Yechiel made? — In connection with the following. For it was taught: If he gave it to [a trained] elephant who carried it, or to [a trained] monkey who carried it, the eiruv is invalid; but if he instructed someone to receive it from the animal, behold the eiruv is valid — Now is it not possible that it would not carry it? — Rav Chisda replied: [This is a case] where [the sender] stands and watches it. But is it not possible that [the agent] would not accept it from [the animal]? — Rav Yechiel replied: It is a legal presumption that all agent carries out his mission. Rav Nachman ruled: In [respect of a law] of the Torah, there is no legal presumption that all agent carries out his mission; in [respect of a law] of Rabbinical origin there is a legal presumption that an agent carries out his mission. Rav Sheishes, however, ruled: In respect of the one as in that of the other there is a legal presumption that an agent carries out his mission. - Where, said Rav Sheishes, do I derive this? From what we learned: As soon as the omer had been offered the new produce is immediately permitted; and those who [live] at a distance bare permitted [its use] from mid-day onwards. [Now, the prohibition against the consumption of] new produce is Biblical, and yet it was stated that 'those who [live] at a distance are permitted [its use] from mid-day onwards'. Is not this due to the legal presumption that an agent carries out his mission? And Rav Nachman? — There [the presumption is justified] for the reason stated: Because it is known that Beis din would not shirk their duty. (31b – 32a)