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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

[The view of Rav Mesharsheya is] rather derived from the following where we learned: 'If a man left his house and went to spend the Shabbos in another town, whether he was a gentile or an Israelite, [his share] imposes restrictions on the residents of the courtyard; these are the words of Rabbi Meir. Rabbi Yehudah ruled: It imposes no restrictions. Rabbi Yosi ruled: [The share of] a gentile imposes restrictions, but that of an Israelite does not impose any restrictions because it is not usual for an Israelite to return on a Shabbos. Rabbi Shimon ruled: Even if he left his house and went to spend the Shabbos with his daughter in the same town [his share] imposes no restrictions since he had no intention to return'; in connection with which Rabbi Chama bar Goria stated in the name of Rav, 'The halachah is in agreement with Rabbi Shimon'. For who is it that differed from him? Rabbi Yehudah of course; but has it not been laid down that 'In a dispute between Rabbi Yehudah and Rabbi Shimon the halachah is in agreement with Rabbi Yehudah'? — And what difficulty really is this? Is it not possible that here also [the reply is that] these rules are disregarded only where a ruling to the contrary had been stated, but that where no such ruling is stated the rules remain in force? — [The view of Rav Mesharsheya] then is derived from the following where we learned: 'And it is this of which the Rabbis have said: A poor man may make his eiruv with his feet. Rabbi Meir said: We can apply this law to a poor man only. Rabbi Yehudah said: [It applies] to both rich and poor, the Rabbis' enactment that an eiruv is to be prepared with bread having had the only purpose of making it easier for the rich man so that he shall not be compelled to go out himself to make the eiruv with his feet'; and when Rav Chiya bar Ashi taught Chiya bar Rav in the presence of Rav [that the law applied] to both rich and poor, Rav said to him: Conclude this also with the statement, 'The halachah is in agreement with Rabbi Yehudah'. For what need was there for a second statement seeing that it had already been laid down that 'in a dispute between Rabbi Meir and Rabbi Yehudah the halachah is in agreement with Rabbi Yehudah'? — But what difficulty is this? Is it not possible that Rav does not accept those rules? — [Rav Mesharsheya's statement] then was derived from the following where we learned: 'The deceased brother's wife shall neither perform the chalitzah nor contract levirate marriage before three months have passed. Similarly all other women shall be neither married nor betrothed before three months have passed, whether they were virgins or non-virgins, whether widows or divorcees, whether betrothed or married. Rabbi Yehudah ruled: Those who were married may be betrothed [forthwith] and those who were betrothed may even be married [forthwith], with the exception of a betrothed woman in Judea, because there the bridegroom was too intimate with her. Rabbi Yosi said: All [married] women may be betrothed [forthwith] except the widow owing to her mourning'; and in connection with this it was related: Rabbi Elozar did not go one day to the Beis Hamidrash. On meeting Rav Assi who was standing [in his way] he asked him, 'What was discussed at the Beis Hamidrash?' The other replied: 'Thus said Rabbi Yochanan: The halachah is in agreement with Rabbi Yosi'. 'Does this then imply [it was asked] that only an individual opinion is against him?' [And the reply was] 'Yes; and so it was taught: A [married woman] who was always anxious to spend her time at her

paternal home, or who had some angry quarrel with her husband, or whose husband was old or infirm, or one who was herself infirm, barren, old, a minor, congenitally incapable of conception or in any other way incapacitated from procreation, or one whose husband was in prison, or one who had miscarried after the death of her husband, [each of] these must wait three months; these are the words of Rabbi Meir, but Rabbi Yosi permits immediate betrothal and marriage'. Now what need was there [to state this] seeing that it had already been laid down that 'in a dispute between Rabbi Meir and Rabbi Yosi the halachah is in agreement with Rabbi Yosi'? — But what is really the difficulty? Is it not possible [that Rabbi Yochanan intended] to indicate that the law was not in agreement with Rav Nachman who in the name of Shmuel had laid down: 'The halachah is in agreement with Rabbi Meir in his restrictive measures'? — [Rav Mesharsheya's statement] then is derived from the following where it was taught: 'One may attend a fair of idolaters and buy of them cattle, menservants, maidservants, houses, fields and vineyards; one may write [the necessary documents] and present them even in their courts because thereby one merely wrests his property for their hands. If he is a Kohen he may incur [the risk of] tumah by going outside the Land to litigate with them and to contest the claims. And just as he may risk tumah without the Land so may he defile himself by entering a graveyard. "A graveyard"! How could this be imagined? Is not this a tumah Biblically forbidden? — A grave area rather which is only Rabbinically forbidden is to be understood. One may also incur the risk of tumah for the sake of taking a wife or studying the Torah. Rabbi Yehudah said: This applies only where a man cannot find [in the home country] a place in which to study but when he can find there a place for study he may not risk his tumah. Rabbi Yosi said: Even when he can find there a place where to study he may also risk tumah since no person is so meritorious as to be able to learn from any teacher. And Rabbi Yosi related: It once happened that Yosef the Kohen went to his Master at Tzidon to study Torah'; and in connection with this Rabbi Yochanan said: 'The halachah is in agreement with Rabbi Yosi'; but what need was there [for this specific statement] seeing that it has already been laid down that 'in a dispute between Rabbi Yehudah and Rabbi Yosi the halachah is in agreement with Rabbi Yosi'? — Abaye replied: This was necessary. Since it might have been presumed that [the general rules] applied only to a Mishnah but not to a Baraisa, hence we were informed [here of Rabbi Yochanan's statement].

[Rav Mesharsheya], however, meant this: Those rules were not unanimously approved, since Rav in fact did not accept them.

Rav Yehudah laid down in the name of Shmuel: Objects belonging to a gentile do not acquire their place for the Shabbos. In accordance with whose view has this ruling been laid down? If it be suggested: According to that of the Rabbis [the objection would arise:] Is not this obvious? Since objects of hefker, though they have no owner, do not acquire their place for the Shabbos was it necessary to state that the same law applies to a gentile's objects, which have an owner? — The fact is that the ruling has been laid down in accordance with the view of Rabbi Yochanan ben Nuri, and it is this that we were informed: That Rabbi Yochanan ben Nuri's ruling that objects acquire their place for the Shabbos applied only to objects of hefker, since they have no owner, but not to a gentile's objects which have an owner.

An objection was raised: Rabbi Shimon ben Elozar ruled: If an Israelite borrowed an object from a gentile on a festival day, and so also if an Israelite lent an object to a gentile on the eve of a festival and the latter returned it to him on the festival, and so also any utensils and stores that were kept within the Shabbos limit of the town, may be carried within a radius of two thousand cubits in every direction. If a gentile has brought fruit to an Israelite front a place beyond his Shabbos limit, the latter may not move them from their position. Now if you grant that Rabbi Yochanan bn Nuri holds that a gentile's objects do acquire their place for the Shabbos, it might well be explained that this ruling

is in agreement with the view of Rabbi Yochanan ben Nuri. If, however, you contend that Rabbi Yochanan ben Nuri holds that a gentile's objects do not acquire their place for the Shabbos [the objection would arise:]

Whose view does it represent seeing that it is neither that of Rabbi Yochanan ben Nuri nor that of the Rabbis? — Rabbi Yochanan ben Nuri may in fact maintain that a gentile's objects do acquire their place for the Shabbos, but Shmuel laid down his ruling in agreement with the Rabbis. And as to your objection, 'According to that of the Rabbis . . . is not this obvious?' [it may be replied:] Since one might have presumed that a restriction was imposed in the case of a gentile owner as a preventive measure against an infringement of the law in the case of an Israelite owner, hence we were informed [that no such restriction was deemed necessary]. Rabbi Chiya bar Avin, however, laid down in the name of Rabbi Yochanan: The objects of a gentile acquire their place for the Shabbos, a restriction having been imposed upon those of a gentile owner as a preventive measure against the infringement of the law in the case of those of an Israelite owner.

Some rams once arrived at Mabrakta and Rava permitted the inhabitants of Machuza to purchase them. Said Ravina to Rava: What [authority is it that you have in] your mind? That of Rav Yehudah who laid down in the name of Shmuel that a gentile's objects do not acquire their place for the Shabbos? Surely, in a dispute between Shmuel and Rabbi Yochanan the halachah is in agreement with Rabbi Yochanan, and Rabbi Chiya bar Avin has laid down in the name of Rabbi Yochanan: The objects of a gentile acquire their place for the Shabbos, a restriction having been imposed upon those of a gentile owner as a preventive measure against the infringement of the law in the case of those of an Israelite owner? Rava thereupon ruled: Let them be sold to the people of Mabrakta since in their case all Mabrakta is deemed to be only four cubits in extent.

INSIGHTS TO THE DAF

The Gemora (47a) tried to bring many proofs regarding why Rav Mesharshiya held that the "ruling rules" (see #1 above) are incorrect. The attempted proofs were all similar in that they were statements of Rav that ruled in various cases against the way the "ruling rules" would rule. The Gemora brushed aside these proofs by saying that the rules are only meant to be general rules when no other ruling was specifically issued. In the end, the Gemora concludes that only Rav does not hold of the "ruling rules."

The Rashba and Ritva raise an interesting possibility. It would seem that the Gemora's way of brushing aside these proofs, that the rules are only meant to be general rules when no other ruling was specifically issued, is not necessarily correct according to the conclusion of the Gemora. After all, the Gemora concludes that Rav does not hold of the "ruling rules." It is therefore possible that Rabbi Yochanan, who holds of the "ruling rules," would hold that they are always valid, while Rav simply holds they are never valid. This would explain why Rav argued on them!

However, the Rashba and Ritva conclude that this is incorrect. We hold like Rabbi Yochanan, who holds these rules are correct. [This is because of the rule that whenever there is an argument between Rav and Rabbi Yochanan, the law follows Rabbi Yochanan.] However, being that we have no other indication to say that Rabbi Yochanan argues on the cases where Rav codified that the law does not follow the ruling rules, we can say that Rabbi Yochanan agrees the law does not follow the ruling rules in those specific cases. Accordingly, the Rashba and Ritva codify that even Rabbi Yochanan holds that the rules are only meant to be general rules when no other ruling was specifically issued.