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Eiruv Daf 79

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o"n**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

**Whether an item is nullified or not depends on the place and time.**

The Gemora explains that one cannot expect the same laws of nullification to apply to impurity as they do too Shabbos. On Shabbos, a person will not even move his wallet (as it is muktzah), and therefore that too should be able to be used to be considered as filling up space in a certain area. In contrast, it should not be considered to lessen an area regarding impurity, as someone will clearly take it. Similarly, while earth may be considered to lessen the inner space of a ditch, that is because it belongs in a ditch. This does not mean that it lessens the inner space of a house (where it does not belong, and therefore will more likely be removed).

If two courtyards are separated by a haystack, ten *tefachim* height, they must make two separate *eiruvim*, but not one. The residents of the one courtyard may feed their cattle from their side (*of the haystack*) and those of the other courtyard may feed theirs from other side. *[Although the straw is thereby diminished and might conceivably be reduced to a height of less than ten tefachim, and then the two courtyards would virtually become one, and consequently, the residents of one courtyard would impose restrictions upon those of the other. We are not concerned for this, for only a reduction in height that extended along more than ten amos of the junction would cause the courtyards to be merged into one (since a lesser width might be regarded as a doorway), and as cattle are not likely to eat so much in one day, the possibility mentioned need not be provided*

*against.]* If the height of the haystack was reduced to less than ten *tefachim*, one *eiruv* may be prepared, but not two.

**While a person cannot take from the haystack himself, he could take from it if the haystack was inside a house.**

The Gemora quotes a braisa that states that if a house filled with hay was in between two yards, we allow the people from each yard to take hay for their animals on Shabbos.

The Gemora asks a question from here on Rav Huna, who says that in the case of our *Mishna*, one can only let his animal take the hay, but he cannot take the hay himself.

The Gemora answers that in the braisa the hay was in a house with walls. If the hay was getting low, people would notice this, as they would see what the height of the hay was compared to the wall. However, in our *Mishna* it is more likely people will not realize how low the hay is until it is too late. This is why Rav Huna stated that people should not take the hay themselves.

**The Mishna describes how to perform a shituf mevo'os.**

How does one take part in a *shituf mevo'os* (*enabling all of the people who live in the surrounding courtyards to carry into the alleyway that they share*)? He places the barrel (*containing the wine in one of the courtyards*) and says that this is for all of the people who share the



*mavoi*, and has them acquire their portion through his older son and daughter, or through his Jewish servant or maidservant, or through his wife. He may not have them acquire their portion through his minor son or daughter, or through his Canaanite slave or slavewoman, because their hand is like his hand.

The barrel must be picked up one *tefach* off the ground.

In order for the acquisition to be valid, the barrel must be picked up at least one *tefach* off of the ground. Otherwise, the food is considered to still be in his domain. [Of course, this is assuming that it is his food that he is giving to the people of the *mavoi*. If everyone gave their own food, this is not necessary.]

Raba observed: These two rulings were given by the elders of Pumbedisa: One is the ruling just cited. The other is the following: He who recites the Kiddush has fulfilled his obligation if he tastes a mouthful; otherwise, he does not.

Rav Chaviva observed: The following ruling also was given by the elders of Pumbedisa, for Rav Yehudah stated in the name of Shmuel that one may light a bonfire on *Shabbos* for a woman in labor. The students assumed that this is only for a woman in labor, and not for any other sick person, and only in the winter, but not in the summer, but the *Gemora* states that it applies equally to someone sick, and even in the summer.

It was stated: Rabbi Chiya bar Avin citing Shmuel ruled: If a person let blood and felt chilly, a fire may be kindled for him on the *Shabbos*, even during the hottest period of the year.

Ameimar observed: The following ruling also was given by the elders of Pumbedisa, for it was stated: How is an *asheirah* which is not specified as such to be recognized? Rav said: Any tree where pagan priests sit beneath it but do not partake of its fruits. Shmuel said: Even if the

priests beneath it say, "These dates are for the temple of Natzrefei, the tree is prohibited because they make beer from them which they drink on their idolatrous holidays.

Ameimar said: The elders of Pumbedisa told me that the *halachah* is in agreement with Shmuel. (79a – 80a)

## INSIGHTS TO THE DAF

This *Gemora* seems to contradict Rashi's opinion in *Kidushin* (26a, DH "b'chavilei zemoros"). Rashi says there that an acquisition through picking something up must be done by picking it up three *tefachim* off the ground. Rashi there explains that being that there is a principle of "lavud" which loosely means that when things are less than three *tefachim* apart they are somewhat connected, one must pick an item up three *tefachim* to disconnect it from its former domain.

If that is true, how can our *Gemora* say that one *tefach* is good enough?

Tosfos and others here answer for Rashi that although three *tefachim* are generally required, being that this is only a Rabbinic law one *tefach* is good enough.

The Meiri here quotes an opinion that argues on Rashi's opinion in *Kidushin*, and states that all acquisitions through picking up only require that the item be picked up one *tefach* off the ground. This is indeed the opinion of Rabbeinu Tam in Tosfos in *Kidushin* (ibid.). Indeed, our *Mishna* and *Gemora* in *Eiruvim* is cited by the Ramban in *Kidushin* (ibid.) as Rabbeinu Tam's proof that acquiring through picking up can be done by picking up the item even one *tefach* off the ground.