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Eiruv Daf 90

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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

1. The Gemora is unclear regarding whether or not one can carry four cubits from a roof without an eiruv to a porch.

Rami bar Chama asked his question according to Rav, who holds that just as one cannot carry in a yard with many tenants without an eiruv, so one cannot carry from one person's roof to another without an eiruv. One can also not carry four cubits on his own roof when there is no eiruv. However, can a person carry from one of these roofs to a porch which juts out from one of these buildings and has no tenants underneath? Do we say the problem is that the roofs become like the houses underneath which require an eiruv, and if there is no eiruv underneath the porch it merely becomes part of the private domain of the roof next to it as they are both not actual places of living, even though it has a separate owner? Or do we say because it has a separate owner, even though no one is living underneath it, it is a separate domain? The Gemora concludes in teiku.

2. A similar question is asked regarding carrying from one of these roofs to a ruin.

Rav Bibi bar Abaye's question was how to look at a ruin. On the one hand, a ruin could be lived in, and therefore should be like a house which requires an

eiruv to carry with others (and their domains). However, right now nobody is living there. Accordingly, if the answer to the question above (#1) is that one may carry from a roof to a porch, perhaps one may also carry from a roof to a ruin. The Gemora concludes in teiku here as well.

3. Shmuel holds that the Rabbanan will not always say one can carry more than four cubits on a rooftop.

Even if one has his own rooftop, Shmuel says that the Rabbanan will not always say he can carry four cubits. This is in a case where the roof is more than a beis sa'asayim (one hundred by fifty cubits). Being that this is the size of a karfeif, and the walls of the building below are not considered to be built for the living purposes of the roof (if they were we would say "gud asik"), the karfeif is the type where one can only carry four cubits.

4. There is an argument regarding whether or not one may carry on a boat on Shabbos.

Rav says one may carry on the entire boat, as the sides of the boat are deemed walls, making this a private domain. Shmuel says that the walls do not make this a separate domain from the ocean, as the walls are just to keep out the water (and not for



living purposes). While Shmuel himself admitted that the law follows Rav, Rav would admit that the law follows Shmuel in a case where the boat was flipped over in order to waterproof it. In such a case, the walls formed are clearly not for the purpose of living, and it therefore does not make the space underneath a private domain.

5. Some say that Rav and Shmuel's argument applied to a porch-like shelter in the valley.

Rav Acha understands that their argument was considering four poles (no walls) with a roof on top of them in the valley. While the valley is considered a *karmelis*, is the space underneath this shelter a private domain? Rav says it is, as we look at the roof as if it comes down and forms walls that create a private domain. Accordingly, one may carry within the entire structure. However, Shmuel says we do not apply this concept here (though he applies it in other cases), and one can only carry less than four cubits.

## INSIGHTS TO THE DAF

Shmuel says that the walls of a boat do not make it a separate domain from the ocean, as the walls are just to keep out the water, and not for living purposes. Therefore, Shmuel maintains that one can only carry four cubits on a boat.

Tosfos and others ask that Shmuel seemingly contradicts himself. Earlier (42b), he himself stated that a boat is considered like four cubits, and one can walk (regarding *techum*) on the entire boat. Why in our case does Shmuel say the boat is not considered like four cubits?

Therefore, Tosfos and other Rishonim state that in our Gemora the case is where the boat is bigger than a *beis sa'asayim*, the size of a *karfeif*. This makes it a *karfeif* with walls that were not made for the living purposes of the boat, but rather to keep out the water. This is similar to Shmuel's logic above (#3), that one can only carry less than four cubits on a roof that is the size of a *karfeif*, even if he owns the roof and it is not attached to another roof. Being that the walls of the building below are not considered to be built for the living purposes of the roof (if they were we would say "*gud asik*"), the *karfeif* is the type where one can only carry four cubits.

Shmuel agrees that if the boat is less than a *beis sa'asayim*, one can carry throughout the entire boat.