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

Three people are forbidden to carry in an area of five beis se’ah enclosed by mediocre partitions, and at times they are permitted to carry in an area of seven beis se’ah enclosed by mediocre partitions.

Rav Gidel said in the name of Rav: Three people cannot carry in an area that is five beis se’ah enclosed by mediocre partitions, and sometimes they will be permitted to carry in an area of seven beis se’ah enclosed by partitions.

‘Did Rav’, they asked him, ‘really say so?’ — ‘[By] the Torah, the Prophets and the Scriptures, [I can answer]’, he said to them, ‘that Rav did say, so’.

Said Rav Ashi: But what is the difficulty? It is possible that he meant this: If three people required an area of six beis se’ah for their use and they enclosed an area of seven beis se’ah with mediocre partitions, they will still be permitted to carry even in the area seven beis se’ah.¹ If the three people only needed an area of five beis se’ah and they enclosed an area of seven beis se’ah with mediocre partitions, then they cannot even carry in the area of five beis se’ah that is needed for their use.²

¹ The reason for this permit is that the enclosed area does not exceed their needs by more than two beis se’ah.

² The reason for this prohibition is because the enclosed area exceeds their needs by two beis se’ah, and the partitions are invalid.

³ If the Baraisa meant empty of people, then three people would be allowed to carry in an enclosed area of up to eight beis se’ah, because two beis se’ah are allocated to each of the three individuals, and two more beis se’ah are allowed, thus allowing for carrying in up to eight beis se’ah. This would contradict Rav’s ruling!?

The Gemara asks: But then what of what was taught: ‘Provided there not be no two beis se’ah unoccupied’, doesn’t this mean: Unoccupied by human beings?³

The Gemara answers: No, it means empty of utensils.⁴ (17a)

There is a dispute as to whether the onset of Shabbos is what validates or invalidates a partition, or if it is the number of residents that validates or invalidates the partition.

It was stated: If there were three people in an enclosure that was more than two beis se’ah at the onset of Shabbos, and on Shabbos one of the individuals died (deeming the enclosure invalid without the required three people who are required to validate an enclosure larger than two beis se’ah), or similarly, if there were two people in the enclosure that was more than two beis se’ah at the onset of Shabbos, and then more people joined on Shabbos - Rav Huna and Rabbi Yitzchak disagree. One maintains that the onset of Shabbos is what determines the validity of a partition.⁵ The other, however, maintains that it is the number of occupants that determine whether the partition will be valid or not.⁶

⁴ Now that we explain the Baraisa to refer to being empty from utensils, the permitted area is calculated according to the people’s needs, not according to their numbers.

⁵ So if there were three people inside the enclosure at the onset of Shabbos, then even if one dies on Shabbos, the remaining two can still carry on Shabbos inside the enclosure. If there were only two people within the enclosure at the onset of Shabbos, then they cannot carry on Shabbos even if they were joined by a third person on Shabbos.

⁶ If there are three occupants within the enclosure, then they can carry, and if there are less than three, then they are forbidden to carry.

You may conclude that it is Rav Huna who held that the determining factor was the Shabbos. For Rabbah stated: 'I enquired of Rav Huna (and also of Rav Yehudah) as to what [was the law where] an eruv was laid in reliance on a certain door and that door was blocked up, or on a certain window and that window was stopped up, and he replied: Since permission for the Shabbos was once granted the permissibility continues [until the day is concluded]'. This is conclusive. (17a)

There is a dispute regarding a chatzer that was breached on two of its sides, a house that was breached on two of its sides, and a mavoi whose korah or lechi was removed on Shabbos.

Must it be assumed that Rav Huna and Rabbi Yitzchak differ on the same principle as that on which Rabbi Yosi and Rabbi Yehudah differed? For we learned: If a chatzer was breached on two of its sides on Shabbos,⁷ or similarly, a house was breached on two of its sides on Shabbos,⁸ or similarly, if the korah or lechi of a mavoi was removed on Shabbos (in all three instances), carrying is permitted for the rest of the Shabbos, and forbidden for future Shabbosos (until the situation is remedied); these are the words of Rabbi Yehudah. Rabbi Yosi, however, maintains that if they are permitted for that Shabbos, then they are permitted for future Shabbosos. If they are forbidden for that Shabbos, then they are forbidden for future Shabbosos also. Must it then be assumed that Rav Huna is of the same opinion as Rabbi Yehudah while Rabbi Yitzchak is of that of Rabbi Yosi? — Rav Huna can tell you, 'I can maintain my view even in accordance with that of Rabbi Yosi; for Rabbi Yosi maintained his view there only because there were no partitions, but here there are partitions'. And Rabbi Yitzchak can tell you, 'I can maintain my view even in agreement with Rabbi Yehudah; for Rabbi Yehudah upheld his view there only because the tenants

⁷ The walls separating the chatzer from the public domain were partially breached, and the chatzer no longer has a status of a private domain. The breaches are ten Amos or less and are located at the corner, thus they are not deemed to be entranceways.

⁸ And the breaches are ten Amos or less at the corners.

⁹ The Tanna Kamma permits mediocre partitions for an individual only when he is traveling, but not in an inhabited area. The Chachamim,

were in existence, but here there was not a [sufficient number of] tenants'. (17a)

There is a dispute regarding an individual who made mediocre partitions in an inhabited area.

The Mishnah (16b) stated that [Rabbi Yosi the son of Rabbi Yehudah maintained that a partition must be comprised of both vertical and horizontal parts, whereas] the Chachamim maintained that one only needs horizontal or vertical parts for a partition to be considered valid.

The Gemara asks: Is the view of the Chachamim not in fact identical with the opinion of the Tanna Kamma? - The Gemara states that there is a difference between the two opinions. The difference will be when an individual made mediocre partitions in an inhabited area.⁹ (17a)

An army camp is permitted to bring wood from anywhere, they are exempt from washing their hands before a meal, they are exempt from eating Demai, and they are exempt from the obligation of making an eruv.

Mishnah: The Chachamim allowed four leniencies in a Jewish army camp. They allowed for soldiers to bring wood from anywhere, without a concern of stealing. Soldiers are exempt from washing their hands before eating a meal; they are exempt from eating *Demai*.¹⁰ They also allowed for soldiers to be exempt from making an eruvei chatzeiros.¹¹ (17a)

GEMARA: Our Rabbis learned: An army that goes out to an optional war are permitted to requisition dry wood. Rabbi Yehudah ben Teima ruled: They may also encamp in any place, and are to be buried where they are killed.

'Are permitted to requisition dry wood'. Wasn't this, however, an enactment of Yehoshua, for a Master stated:

however, permit an individual to make mediocre partitions even in an inhabited area.

¹⁰ Produce belonging to an ignorant Jew that may not be tithed properly.

¹¹ An eruv that allows one to carry from one private domain to another.

Yehoshua the son of Nun enacted ten conditions upon the division of land to the Jewish People in Eretz Yisroel. One of these conditions is that one can allow his animals to graze in forests.¹² Similarly, one was allowed to gather wood from the fields that are owned by others. The Gemara answers that Yehoshua's condition was made with regard to low bushes (that the owner does not care about). Our Baraisa refers to other wood that soldiers can take. Another difference is that Yehoshua's condition referred to wood that was attached to the ground, so the owner probably abandoned it, whereas the lenience for soldiers was said even with regard to detached pieces of wood. Another resolution is that Yehoshua's enactment concerned moist pieces of wood, which the owner would probably abandon, and the Baraisa refers to the soldiers being allowed to take even dry wood. (17a)

A soldier is buried in the place that he was killed.

Rabbi Yehudah ben Teima ruled: They may also encamp in any place, and are to be buried where they are killed.

The Gemara asks: Is this not obvious? There is a rule that a *meis mitzvah*, an unattended corpse, acquires its location.¹³ - Nonetheless, the Baraisa teaches us that even if the soldier has heirs who can attend to his burial, the dead soldier still can be buried in the exact location of his death. For it was taught: Who is deemed a *meis mitzvah*? Any person who has no one to bury him. Were he, however, to call [for help] and others answer him, he is not [to be regarded as] a *meis mitzvah*. But does a *meis mitzvah* acquire [the right to be buried on] the spot where it is found? Was it not in fact taught: If a man found a corpse lying in the road, he may remove it to the right of the road or to the left of the road: [if on the one side there was] an uncultivated, and [on the other] a fallow field, he should remove it to the uncultivated field; a fallow field and a field with seeds, he should remove it to the fallow field; if both fields were fallow, sown, or uncultivated he may remove it to whichever side he wishes?

¹² Even if an individual owns them, because people do not normally harvest these areas.

¹³ The corpse is buried wherever it is located, even on land owned by an individual.

— Rav Bibi replied: Here we are dealing with a corpse that lay across a narrow path, and since permission was granted to remove it from the path one may also move it to whichever side one pleases. (17a -17b)

One must wash his hands after the meal because of Sodomite salt that blinds the eyes.

The Mishnah stated that soldiers are exempt from washing their hands before eating a meal. Abaye qualifies this statement to mean that the soldiers are only exempt from washing their hands before a meal, but washing their hands after the meal, known as *mayim Acharonim*, is obligatory. Rav Chiya bar Ashi said: What is the reason for this obligation? It is because there is Sodomite salt that blinds the eyes.¹⁴ Abaye added that this harmful salt is only prevalent in the concentration of one grain in a kor (thirty se'ah, which equals 4320 eggs) of regular salt. Rav Acha the son of Rava asked Rav Ashi: Even if one handles salt without eating a meal must he wash his hands? He replied: This should not be a question (as he certainly must wash his hands). (17b)

The Mishnah had stated: They are exempt from eating *demai*. For we learned: Poor men and traveling troops may be fed with *demai*. Rav Huna stated: One taught: Beis Shammai ruled: Poor men and traveling troops may not be fed with *demai*, and Beis Hillel ruled: Poor men and traveling troops may be fed with *demai*. (17b)

One is liable biblically lashes for traveling beyond the two thousand amah limit without making an eruvei techumin.

The Mishnah stated that soldiers are exempt from making an eruv. In the school of Rabbi Yannai they qualified this to mean eruvei chatzeiros. Soldiers are obligated, however, to make eruvei techumin, allowing them to travel beyond the two thousand-amah limit, for Rabbi Chiya said: One who travels beyond the two thousand limit on Shabbos without making an eruvei techumin incurs lashes. Rabbi Yonasan asked: Does

¹⁴ The Chachamim instituted that one washes his hands after the meal and this will remove all the salt on ones fingers, and one who places his fingers in his eyes will not become blind.



one incur lashes for a prohibition that states *al*? Rav Acha bar Yaakov countered: But now that it's written: Do not turn to the eovos or to the yidanim – is it also so that one does not incur lashes? – Rabbi Yonasan was referring to a prohibition that one is subject to the warning against incurring the death penalty. And the rule is that a prohibition that one is subject to the warning against incurring the death penalty, one does not incur lashes for violating it!? Rav Ashi said: Nonetheless, regarding the prohibition of traveling beyond the techum, it does not state *al yotzi*, do not carry out. Rather, it states: *al yeiztei*, do not go out, so the verse is not a prohibition that one is subject to the warning against incurring the death penalty, and one will indeed incur lashes for transgressing the prohibition of traveling beyond the two-thousand amah limit. (17b)

WE SHALL RETURN TO YOU, MAVOI

INSIGHTS TO THE DAF

Mayim Acharonim

There is a famous argument regarding whether or not mayim acharonim, washing one's hands before bentching, is still mandatory today. Tosfos (DH "Mayim") says that it is no longer customary to wash mayim acharonim as we do not have salt from Sedom. The Gemora here implies that the entire reason for the institution of mayim acharonim is to protect from Sedom salt. Tosfos additionally says that they used to dip their fingers in after they would eat, which we no longer do. For both of these reasons, Tosfos says, it is no longer customary. This is also stated by the Meiri here.

However, others such as the Ritva and Rosh say that this is not the only reason for mayim acharonim. Another reason given is in order to ensure that one's hands are clean before reciting bentching. Rabeinu Yonah in Berachos says that even our salt has properties similar to Sedom salt. The Rif in Chulin (37b in Rif pages) cites the Gemora in Yoma (83b) that says that lack of doing mayim acharonim caused someone to be killed, showing us that it should continue to be done anyway.

While the Shulchan Aruch (Orach Chaim 181:1) rules that mayim acharonim is obligatory, he does cite (181:3) that there are those who have the custom not to do mayim acharonim, as stated by Tosfos.

DAILY MASHAL

Meis Mitzvah

The Gemara states that if a person dies and has no one to bury him, then he is considered a *Meis mitzvah*, and he is buried on the land where he died, even if the land is privately owned. This is one of the ten conditions that Yehoshua made upon the division of Eretz Yisroel. Why did Yehoshua make such a condition? Would it not be more appropriate to bury a person in a regular cemetery? The Chazon Ish¹⁵ writes that there was a concern that one who dies without relatives would be left to the devices of other people who would neglect the dead body on the road, thus leaving the corpse unprotected. Yehoshua therefore decreed that a person who dies and has no one to attend to his burial should be buried where the body was found. The Taza and Shach¹⁶ write that nowadays in land outside of Eretz Yisroel we must bury an unattended corpse in the cemetery, because even if the person was buried at the site of his death, we are not certain that the site will be undisturbed. Perhaps there is another aspect to burying an unattended corpse at the site of his death. It is said: *v'chiper admaso amo*, and He will appease His Land and His people, and this can be interpreted to mean that the land itself atones for the person. Burial is a sign of respect for the dead body, and although one normally buries a corpse in a cemetery, Eretz Yisroel is unique that anywhere in the Land is considered a respectful location. This would explain why Yehoshua was the one who set this condition, because the condition was unique for Eretz Yisroel.

¹⁵ Ohalos 22:22

¹⁶ Yoreh Deah 364:3