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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

Rami bar Chama<sup>1</sup> enquired: Is it permitted to move an object two amos along a roof and two amos along a column?<sup>2</sup> — ‘What an enquiry’, Rabbah exclaimed: ‘is this? He is asking about a karmelis<sup>3</sup> and a private domain!’<sup>4</sup> And Rami bar Chama? — In his ingenuity he was not careful in putting the question. He, however, meant to put the question thus: Is it permitted to move an object two amos along a roof and two amos along a portico?<sup>5</sup> Do we say: Since neither the one nor the other<sup>6</sup> is fit for a dwelling-place, both are regarded<sup>7</sup> as a single domain; or is it possible that as the movement of objects from one roof to another is forbidden<sup>8</sup> so is also that between a roof and a portico forbidden.

Rav Bivi bar Abaye enquired: Is it permissible to move an object two amos on a roof and two amos in a ruin?<sup>9</sup> — Isn’t this enquiry, Rav Kahana asked, identical with

that of Rami bar Chama? — Would I’, Rav Bivi bar Abaye retorted: ‘have come with the enquiry of another man merely to create difficulties? A portico is unfit as a dwelling whereas a ruin is fit’.<sup>10</sup> But if it is fit as a dwelling why would he raise the question?<sup>11</sup> — His enquiry was in the nature of an alternative question:<sup>12</sup> If, [he said in effect,] you will find [some reason] for answering that a portico is unfit as a dwelling,<sup>13</sup> [will you agree that] a ruin is fit for a dwelling, or is it possible [that the latter is subject to the same law as the former, since] now at any rate it has no tenants? — This must remain undecided. (90a)

Regarding a number of roofs on the same level, according to Rabbi Meir, or a single roof, according to

<sup>1</sup> Who held Rav’s view that on a roof, according to the Sages, objects ‘may be moved only within four cubits’.

<sup>2</sup> Ten tefachim high and four tefachim wide that was standing in the public domain in close proximity to the roof.

<sup>3</sup> The roof.

<sup>4</sup> The column; Sc. it is obvious that the answer is in the negative since the movement of objects between a karmelis and a private domain is definitely forbidden.

<sup>5</sup> Sc. the roof of a portico, that did not belong to the owner of the adjoining roof and house, that was bigger than two beis se’ah, that had no partitions around it, that was in a sloping position and that had in consequence the status of a karmelis.

<sup>6</sup> Sc. neither the roof of the dwelling-house nor that of the portico.

<sup>7</sup> Since, unlike the roofs of two dwelling-houses which, on account of the different tenants beneath them, are regarded by

the Sages as different domains, the portico has no tenants either within it or on its roof.

<sup>8</sup> Because, presumably, they belong to different tenants.

<sup>9</sup> That belonged to a different owner, and that had the status of a karmelis because one of its sides was completely exposed to a public domain.

<sup>10</sup> The position of the two, therefore, is not identical, and the one enquiry has no bearing on the other.

<sup>11</sup> It should have been obvious to him that the answer was, as in the case of roofs of dwelling-houses, in the negative.

<sup>12</sup> Lit., ‘He said: If you will find (some reason) for saying’, sc. Rav Bivi was neither certain that a ruin is to be regarded as a suitable dwelling-place nor that it was subject to the same law and status as all portico, and his enquiry depended on one of the two possible alternative answers to Rami’s enquiry.

<sup>13</sup> And that the movement of objects between its roof and the roof of a dwelling-house is, therefore, permitted.

the Rabbis,<sup>14</sup> Rav ruled: It is permissible to move objects on the entire area, and Samuel ruled: Objects may be moved only within four amos.<sup>15</sup> As 'Rav ruled: It is permissible to move objects on the entire area,<sup>16</sup> doesn't a contradiction arise between two rulings of Rav?<sup>17</sup> There the walls are undistinguishable<sup>18</sup> but, here, the walls<sup>19</sup> are distinguishable.<sup>20</sup> But since 'Shmuel ruled: Objects may be moved only within four amos',<sup>21</sup> doesn't a contradiction arise between two rulings of Shmuel? — There<sup>22</sup> the area was not bigger than two beis se'ah<sup>23</sup> but here it<sup>24</sup> is bigger than two beis se'ah, and, since those walls were made for dwelling purposes only below but not on the roof' area above, the latter is like a karpaf bigger than two beis se'ah, that was not surrounded by walls for dwelling purposes, and in any karpaf bigger than two beis se'ah that was not surrounded by walls for dwelling purposes, no objects may be moved except within four amos. (90a)

It was stated: As regards a ship, Rav ruled: It is permissible to move objects about throughout its area,

and Shmuel ruled: Objects may be moved only within four amos. 'Rav ruled: It is permissible to move objects on the entire area' because it has walls;<sup>25</sup> 'and Shmuel ruled: Objects may be moved only within four amos', since the walls were put up for the purpose of keeping out the water. 'Is the law', Rav Chiya bar Yosef asked Shmuel, 'in agreement with your view or is it in agreement with that of Rav?' — 'The law, the other replied: 'is in agreement with that of Rav'. 'Rav', explained Rav Giddal in the name of Rav Chiya bar Yosef, 'agrees nevertheless that if it was turned upside down objects on it may be moved only within four amos. For what purpose, however, was it inverted? If it be suggested: For the purpose of dwelling under it, why, it could be objected, should its law be different from that of a single roof?<sup>26</sup> — It was inverted rather for the purpose of being coated with pitch.<sup>27</sup>

Rav Ashi reported this with reference to a ship; but Rav Acha son of Rava reported it with reference to a portico. For it was stated: If a portico was situated in a valley, it is, Rav ruled, permitted to move objects within all its

<sup>14</sup> The Sages, whose rule that each roof is a separate domain that imposes restrictions on the adjoining roofs, cannot obviously apply to an isolated roof.

<sup>15</sup> On the same roof according to the Rabbis or on two roofs (a portion of the four amos on each) according to Rabbi Meir.

<sup>16</sup> From which it follows that he adopts the principle of the upward extension of the walls under the roofs to form partitions around the roofs.

<sup>17</sup> The one just cited and the ruling earlier that on roofs of the same level, according to the Rabbis, objects 'may be moved only within four amos', from which it is obvious that he does not recognize the principle of the upward extension of walls.

<sup>18</sup> One standing on any of the roofs cannot see them since they are covered by the roofs. Hence it is that the principle of upward extensions cannot be applied and the roofs, according to the Rabbis, impose restrictions upon each other.

<sup>19</sup> Of (a) the detached house, according to the Rabbis, and (b) those of the outermost houses according to Rabbi Meir.

<sup>20</sup> They can well be seen from (a) the roof or (b) the roofs. The principle of upward extension is, therefore, applicable.

<sup>21</sup> From which it follows that he does not hold the principle of upward extension.

<sup>22</sup> Where Shmuel was dealing with the view of the Rabbis who regard each roof as a separate domain.

<sup>23</sup> Since the walls of each individual roof, which is smaller than two beis se'ah, are deemed to be extended upwards.

<sup>24</sup> The area of all the roofs according to Rabbi Meir and that of the single roof according to the Rabbis.

<sup>25</sup> That were put up for dwelling purposes.

<sup>26</sup> Concerning which Rav ruled that even according to the Rabbis it is permissible to move objects throughout its area though it was bigger than two beis se'ah. The sides of a ship that was inverted for the purpose of dwelling under it should be subject to the same laws as those of the walls of a dwelling-house.

<sup>27</sup> As its sides no longer serve the purpose of walls of a dwelling place the ship's roof (or back) assumes the same character as that of the top of a mere column; and when these sides are imagined to be extended upwards they surround an area that is bigger than two beis se'ah whose walls were not put up for dwelling purposes and whose status, therefore, must be that of a karmelis where movement of objects beyond four amos is forbidden.

interior; but Shmuel ruled: Objects may be moved within four amos only. Rav ruled that it was permitted to move objects in all its interior because we apply the principle: The edge of the ceiling descends and closes up. But Shmuel ruled that objects may be moved within four amos only because we do not apply the principle: The edge of the ceiling descends and closes up. - But according to Rav's interpretation of Rabbi Meir's view,<sup>28</sup> should it not<sup>29</sup> be permitted to move objects from a roof into a courtyard?<sup>30</sup> This is forbidden as a measure<sup>31</sup> of which Rav Yitzchak bar Avdimi has spoken. - And according to Shmuel's interpretation of the view of the Rabbis,<sup>32</sup> should it not be permissible to move objects<sup>33</sup> from a roof to a karpaf?<sup>34</sup> — Rava bar Ulla replied: The prohibition is due to a preventive measure against the possibility of a reduction in the area of the roof.<sup>35</sup> But if so, it should also be forbidden to move an object<sup>36</sup> from karpaf to karpaf since the area of one of them might happen to be reduced<sup>37</sup> and people would still be moving objects from one to the other? — If a reduction were to occur there it would be noticeable<sup>38</sup> but if a reduction should take place here<sup>39</sup> it might not be noticed at all.<sup>40</sup> (90a – 90b)

Rav Yehudah stated: A careful study would show that according to the view of Rabbi Meir roofs are regarded as a separate domain, courtyards as a separate domain and karpafs as a separate domain; that, according to the view of the Sages,<sup>41</sup> roofs and courtyards form a single domain<sup>42</sup> and karpaf form a domain of their own; and that according to the view of Rabbi Shimon all these together constitute a single domain.

It was taught in agreement with Rav and it was also taught in agreement with Rav Yehudah. 'It was taught in agreement with Rav': All the roofs of a town constitute a single domain, and it is forbidden to carry objects up or down from the courtyards on to the roofs or from the roofs into the courtyards respectively;<sup>43</sup> but objects that were in a courtyard when the Sabbath began may be moved about within the courtyard, and if they were at that time on the roofs they may be so moved on the roofs, provided no roof was ten tefachim higher or lower than all adjoining roof; these are the words of Rabbi Meir. The Sages, however, ruled: Each one is a separate domain and no object may be moved in it except within four amos. 'It was taught in agreement with Rav Yehudah': Rebbe related: When we were studying the Torah at Rabbi Shimon's at Tekoa we used

<sup>28</sup> Viz., that it is permissible freely to move objects from roof to roof provided all the roofs were on the same level.

<sup>29</sup> Since a roof is not subject to the restrictions of karmelis.

<sup>30</sup> Obviously it should. Why then did Rabbi Meir rule that gardens, courtyards and karpafs are separate domains from any of which it is forbidden to move objects into the other?

<sup>31</sup> Against similar action in the case of a mound in a public domain.

<sup>32</sup> That a detached roof that was bigger than two beis se'ah is subject to the restrictions of a karmelis.

<sup>33</sup> Within four amos.

<sup>34</sup> Apparently it should. Why then did the Sages rule that, while roofs and courtyards form one domain, karpafs form a separate domain from which it is forbidden to move objects either into a courtyard or on to a roof.

<sup>35</sup> As well as that of the house under it to less than two beis se'ah, when it would assume the status of a private domain from which into a karpaf the movement of objects is forbidden.

<sup>36</sup> Even within four amos.

<sup>37</sup> And thus assume the status of a private domain.

<sup>38</sup> One could not fail to observe a reduction in all enclosed space.

<sup>39</sup> In a roof which is all unenclosed space since it had no walls around it.

<sup>40</sup> As it is very difficult to recognize a small difference in an open area.

<sup>41</sup> Who, unlike Rabbi Meir, did not make provision against the possibility of using a mound in a public domain.

<sup>42</sup> It being permissible to move objects from one courtyard into another if both belonged to more than one person, or from a private roof (since it is only infrequently used) into such a courtyard. Between private roofs this is forbidden, since in the view of the Rabbis, the domains on the roofs are as divided as the domains of the houses below.

<sup>43</sup> This, according to Rabbi Meir, is a preventive measure against the possibility of a similar act in the case of a mound in a public domain.



to carry oil and a towel from roof to roof, from the roof to a courtyard, from the courtyard to another courtyard, from that courtyard to a karpaf and from that karpaf into another karpaf until we arrived at the well wherein we bathed.

Rav yehudah related: It once happened that during a time of danger we carried a Torah scroll from a courtyard into a roof, from the roof into a courtyard, and from the courtyard into a karpaf in order to read in it. They, however, said to him: A time of danger can supply no proof. (90b – 91a)

#### **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, 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.