

# TIME 4 MISHNA



## SUMMARIES

### ערובין

חזה בת ר' מרדכי מאיר iluy nishmas

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## key terms

### עירובין

#### Rules:

- לבוד** - 2 items within 3 טפחים of each other are viewed as connected
- ברירה** - when something becomes evident retroactively
- דבר דלא שכיחא לא גזרו ביה רבנן** - the רבנן didn't include uncommon cases in their decrees
- זכין לאדם שלא בפניו** - one can do something which is purely a benefit for somebody else without telling them
- גוד אחית מחיצתא** - a partition is viewed as descending down to the ground
- חזקה** - something is presumed to remain the same until it's known that it changes
- פי תקרה יורד וסותם** - the edges of the roof are viewed as coming down to the ground
- שבת (לאו) זמן תפילין היא** - the מצוה of תפילין does/does not apply on שבת too מדאורייתא
- במקדש לא גזרו משום שבות** - Rabbinic prohibitions of שבת don't apply in the בית המקדש
- התירו סופו משום תחלתו** - the חכמים permit doing something at a later time so that one will do something at an earlier time
- מכשירי מצוה דוחים את השבת** - acts which are necessary to allow the performance of a מצוה override the prohibitions of שבת

#### Concepts and terms:

##### Types of עירובין:

- **שיתופי מבואות** - when the courtyards join together via an עירוב by members contributing food
- **עירובי תחומין** - a mechanism by which one changes his 'מקום השביתה', which is where one is said to be living for שבת and from which point he may travel 2000 אמות in every direction excluding the distance of the city
- **עירובי חצירות** - When all members of a courtyard join together in order to be able to carry in the courtyard on Shabbos

**מבוי** - street onto which courtyards open up and which itself opens up into a רשות הרבים

**גולל** - טומאה transmitted to the covering of a grave

**דמאי** - produce bought from one who isn't trustworthy with regards to tithing  
**ביטול רשות** - when one makes his share (in a courtyard) ownerless  
**מקום השביתה** - where one is said to be living for **שבת**  
**מעשר שני** - 1/10 of one's produce which must be eaten in **ירושלים**  
**בית הפרס** - an area where a grave has been ploughed over and the bones scattered  
**תחום שבת** - 2000 **אמות** which may be travelled in every direction on **שבת**  
**חמור גמל** - literally 'a donkey and camel driver', who needs to constantly check the donkey travelling in front of him and camel behind him, referring to somebody who is bound to 2 different **תחומים**

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- **Creating and adapting a רשות היחיד for carrying on שבת:**

- **בית שמאי**: To be able to carry in a 'מבוי' – street onto which courtyards open up and which itself opens up into a רשות הרבים, the members of the courtyards must make a 'שיתוף מבואות' – when the courtyards join together via an עירוב by members contributing food – and add a beam (קורה) at the top of the entrance and a vertical pole (לחי) on the side.

**בית הלל**: Either a קורה or a לחי is sufficient.

**ר' אליעזר**: 2 לחי poles are necessary, and no horizontal beam.

→ **ר' ישמעאל**: If the entrance is less than 4 אמות wide, בית שמאי agree that a קורה or a לחי is enough.

**ר' עקיבא**: They require both even in such a case.

→ **חכמים**: The קורה must be within 20 אמות of the ground, so that people see it and are reminded not to carry into the רשות הרבים.

**ר' יהודה**: It's valid even above 20 אמות.

→ If the entrance to the מבוי is wider than 10 אמות, one may not carry in the מבוי since this is no longer considered to be an entrance but an opening.

- If the קורה is resting on 2 vertical poles, it's valid even if wider than 10 אמות since it has the structure of an entrance.

→ The קורה must be at least a טפח wide such that it would hold a brick, so that it appears to be a permanent part of the מבוי.

- **חכמים**: It also needs to be strong, straight and flat enough to hold a brick.

**ר' יהודה**: It doesn't.

- If it's a cylinder, its width can be calculated roughly by dividing its circumference by 3.

→ **חכמים**: The לחי must be at least 10 טפחים tall, and any width.

**ר' יוסי**: It needs to be at least 3 טפחים wide, to serve as a partition.

→ **חכמים**: One may tie an animal to the side of the entrance to serve as the לחי.

**ר' יוסי**: One may not, in case it dies and shrinks in size to be less than 10 טפחים.

- **חכמים**: A live animal can become טמא as a 'גולל' – the טומאה transmitted to the covering of a grave.

**ר' מאיר**: It can't, since it can't be a partition.

- **חכמים**: One may write a גט of divorce on an alive animal and give the animal to his wife.

**ר' יוסי הגלילי**: It's invalid, since the תורה requires it to be "a scroll".

- A caravan which encamps in a large open area which has the status of a כרמלית can carry on שבת if they create a רשות היחיד before שבת by surrounding their camp with items which reach a height of 10 טפחים.

→ One may leave gaps of up to 10 טפחים in the 'wall', if it's the minority of the wall.

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- They may use 3 ropes one above the other with gaps of less than 3 טפחים between each one and a total thickness of just over 1 טפח, such that the top rope is 10 טפחים from the ground and the gaps are viewed as filled up because of the rule of 'לבוד' – 2 items within 3 טפחים of each other are viewed as connected.
- One may do the same with vertical poles within 3 טפחים of each other.
  - ר' יהודה: This leniency applies only to a caravan, but not to people in a settled area, and if one is travelling alone then he may use the leniency to make a רשות היחיד of up to 5000 squared אמות.
  - חכמים: Even an individual traveller may use the leniency fully.
  - ר' יוסי בר רבי יהודה: Even a caravan may only use the leniency to create a רשות היחיד of up to 5000 squared אמות.
  - חכמים: This leniency may be used fully, even in a settled area.
- People in a military camp: (1) may take any wood which they find already cut, for use as firewood; (2) are exempt from washing their hands with water before eating or praying; (3) are exempt from tithing 'דמאי' – produce bought from one who isn't trustworthy with regards to tithing.; (4) are exempt from making עירובי חצרות.

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### עירובין

- **ר' יהודה**: In order to create a **רשות היחיד around wells** so that people walking up to the **בית המקדש** for the **שלוש רגלים** would be able to draw water on **שבת**, one may use corner boards which are **1 אמה wide** on each side and other side boards, with **maximum gaps of 13 $\frac{1}{3}$  אמות**.
- ר' מאיר**: The gaps may not be larger than **10 אמות**.
  - The **רשות היחיד must be large enough for the majority of an animal's body to be inside** whilst drinking the water (**2 אמות**), so that the owner doesn't come to taking the water out of the **רשות היחיד**.
  - **ר' יהודה**: One may only use this leniency of having lots of gaps in the walls for an **area up to a בית סאתים (50x100 אמות)**.
  - חכמים**: This maximum size applies only to an area which isn't designated for living or for common usage, so **doesn't apply here**.
    - **ר' יהודה בן בבא**: One **may not make a רשות היחיד larger than בית סאתים** or for an area which doesn't contain at least a **hut for living** or is very **close to the city** so is used frequently.
      - ר' יהודה**: If it contains **any necessity for living**, e.g. a pit of water, it's **valid**.
      - ר' עקיבא**: It **doesn't need to have anything inside** which is for living.
    - **ר' אליעזר**: Just like the **משכן's courtyard** was a **בית סאתים** of 100x50 אמות, the **רשות היחיד's length or diagonal length may not be more than double its width**.
      - ר' יוסי**: It's **diagonal length may be more** than double its width.
    - **ר' אלעאי** in the name of **ר' אליעזר**: The maximum size is a **בית כור** – 15 times larger than a **בית סאתים**.
      - **ר' אלעאי** in the name of **ר' אליעזר**: If **one member of a courtyard forgets to contribute to the עירובי חצרות** so does 'ביטול רשות' – when one makes his share (in the courtyard) ownerless, **he may not carry into or from the courtyard**, since he appears to be retracting his **ביטול רשות**, but the **other members may** do so.
      - **ר' אלעאי** in the name of **ר' אליעזר**: **עקרבים** is a **valid herb to be used for מרור**.
        - **ר' אלעאי** didn't find any other student of **ר' אליעזר** who heard these laws from him.
  - **ר' יהודה**: If the **public pathway goes through the רשות היחיד**, it **loses its status**.
  - חכמים**: It **doesn't**.
  - **ר' עקיבא**: One **may not use this leniency** for a **private pit** which isn't connected to a source of water, in case it runs out of water without people knowing and they will continue carrying there illegally.
  - ר' יהודה בן בבא**: One **may not even use this leniency** for a **public pit**, in case people don't find out, nor for a **private well** which is connected to a source of water, since the leniency was made so that the public could access water.

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- One **may use any food** to **make an 'עירוב תחומין'** – a mechanism by which one changes his **'מקום השביתה'**, which is where one is said to be living for **שבת** and from which point he may travel **2000 אמות** in every direction excluding the distance of the city – **except for insubstantial foods** like salt and water.
  - If one redeems his **'מעשר שני'** – 1/10 of one's produce which must be eaten in **ירושלים** – onto money in order to then buy produce in **ירושלים**, he may not **spend the מעשר שני money** on insubstantial foods like salt and water.
  - **חכמים**: One **can't use food which is forbidden for everybody**, but one **can use דמאי** since poor people may eat it, a **נזיר** can use **wine** and a **non-כהן** can use **תרומה**, since they're not intrinsically forbidden.
  - סמכוס**: One **can't use food which is forbidden for him**, however a **נזיר** can still **use wine** since it can become permitted if he annuls his vow of **נזירות**.
- **חכמים**: A **כהן** can **appoint somebody to make an עירוב** for him in a **'בית הפרס'** – area where a grave has been ploughed over and the **bones scattered**, since he can enter if he makes sure to check carefully before each step.
  - ר' יהודה**: He **may even make an עירוב** in a **graveyard**, since he's able to enter inside a box and not become **טמא**.
- If one appoints a **deaf mute, mad person, child** or one who **disagrees with the law** of **עירובין תחומין** to place his food at a spot to serve as his **עירוב**, it **isn't valid** unless he sees him give it to a competent person to place it down with the necessary intention.
- If one places his **עירוב** on a **branch of a tree which is at least 4x4 טפחים and 10 טפחים high** and intends that his **מקום השביתה** be the place in **רשות הרבים** where the tree stands, it's **invalid** since he isn't able to access it during **'בין השמשות'** – when it's a doubt as to whether it's considered day or night and whether **שבת** has begun – as it's forbidden to carry from a **רשות היחיד** into a **רשות הרבים**.
  - If he places it on a **branch lower than 10 טפחים**, it is **valid** since the branch is considered a **כרמלית** and it's only forbidden **מדרבנן** to carry from there into the **רשות הרבים** so permitted to do so during **בין השמשות**.
    - If he places it **on top of a reed which is attached to the ground**, it's **invalid** since taking it off is forbidden **מדרבנן** even during **בין השמשות** in case one comes to cut the reed.
    - **חכמים**: If one **loses the key to the closet** in which he placed his **עירוב** and it can be opened by cutting the ropes on the closet door which is forbidden **מדרבנן**, it's **valid**.
    - ר' אליעזר**: It's **invalid**, since a tool is considered **מוקצה** for every use other than its primary use and the knife that he'd use isn't designated for this, and one may not perform an activity involving **2 מדרבנן** prohibitions during **בין השמשות**.
- If one's **עירוב roles outside of the city's 'תחום שבת'** – **2000 אמות** which may be travelled in every direction on **שבת** – or **becomes forbidden or inedible** after **שבת** comes in, he **may use the עירוב for the rest of שבת**.

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### עירובין

- **ר' מאיר** and **ר' יהודה**: If it's a **doubt** as to whether this occurred before or after **שבת** began, he is considered a **'חמר גמל'** – literally 'a donkey and camel driver', who needs to constantly check the donkey travelling in front of him and camel behind him, referring to somebody who is bound to 2 different **תחומים** – and **may only travel within both his city and his עירוב's תחומים**.
- ר' יוסי** and **ר' שמעון**: It's **valid**, because of the principle of **'חזקה'** – something is presumed to remain the same until it's known that it changes.
- One **may prepare 2 עירובים** before **שבת** and **stipulate** that only the one which he ends up using on **שבת** is valid, using the principal of **'ברירה'** – when something becomes evident retroactively.
    - **חכמים**: If he stipulates that he will use the **עירוב** which allows him to **reach a visiting חכם תלמיד** and then 2 come from both directions, he **can choose** which **עירוב** should be the valid one.
    - ר' יהודה**: If one of them is his own **רבי**, then **the עירוב leading to him is considered the valid one** since this is assumed to have been his intention.
  - **ר' אליעזר**: If **יום טוב falls on Friday or Sunday**, one **may make 2 different עירובים** within 2000 **אמות** of each other and stipulate that one of them should be valid for the first day and the other for the second day, since they are **'שתי קדושות'** – 2 separate days of holiness.
 

**חכמים**: It is a doubt as to whether they are **שתי קדושות** or **'קדושה אחת'** – one extended day of holiness, so he **cannot change his מקום השביתה** for the second day, but can also only use the first **עירוב** on the second day if it is still there at the beginning of the second day.

    - **ר' יהודה**: The 2 days of **ראש השנה** are **considered שתי קדושות**, since it's only out of doubt.
      - So too, one can **tithe produce** on both days of **ראש השנה** on condition that that day is the weekday, and eat it on the second day.
      - So too, if an **egg is laid on the first day** of **ראש השנה** may be eaten on the second day.
    - חכמים**: It **could still be קדושה אחת**, since when witnesses don't come in the first half of the first day, the rest of the first day is treated as regular **יום טוב** even though witnesses wouldn't be accepted for the rest of the day, which means that it wasn't observed solely out of doubt.
  - **ר' דוסא בן הרכינס**: During the **תפילות** on **ראש השנה**, one should ask Hashem to save him "on this day of **ראש חודש**, whether it's today or tomorrow/yesterday".
 

**חכמים**: One shouldn't, so that people don't come to treat their observance of **ראש השנה** lightly; the term **'יום הזכרון'** refers to both **ראש השנה** and **ראש חודש** so special mention of **ראש חודש** is unnecessary.

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### עירובין

- One who **leaves his תחום** on **שבת** **may not travel more than 4 אמות**, even if he was taken out by force.
  - If he is **forced back into his תחום**, he **may make use of his original תחום**.
  - **רבן גמליאל** and **ר' אלעזר בן עזריה**: If he is **forced into another city** or enclosure, the **entire city/enclosure is viewed as 4 אמות**, just as if he had been there when **שבת** began.
    - ר' יהושע** and **ר' עקיבא**: They **may only travel 4 אמות**.
      - These **תנאים** were consistent with their opinions when their ship which had reached the port before **שבת** but was then washed back forcibly beyond the port's **תחום**, even though **ר' יהושע** and **ר' עקיבא** agree that **on a ship the 4 אמות maximum distance doesn't apply** since it's moving.
        - On another occasion, they **arrived at the port after שבת came in** but **רבן גמליאל** **permitted them to descend** onto dry land since they were within the **תחום** before **שבת** began.
- One who **leaves his תחום with permission**, e.g. to save a life or to testify that he saw the new moon, he **may travel 2000 אמות** in every direction once he is no longer needed, even if he wasn't needed in the end.
  - If his **original תחום is within the 2000 אמות**, it **reverts to being his תחום** once he returns to it.
  - Those who left to save lives **may carry their weapons back**, since it's dangerous to abandon them.
- **ר' מאיר**: If a **traveller is within 2000 אמות of a city** when **שבת** begins without realising, his **location at that time is his מקום השביתה**.
  - ר' יהודה**: Since a traveller may establish a **מקום השביתה** which he can see even if he isn't physically there, and had he known that he was within 2000 אמות of the city he would have intended that it be his **מקום השביתה**, it is **considered his מקום השביתה**.
    - This occurred to **ר' טרפון** and he followed the opinion of **ר' יהודה**.
- **ר' יוחנן בן נורי**: If a **traveller is asleep and within 2000 אמות** of a city when **שבת** begins, his **מקום השביתה is where he slept**.
  - חכמים**: He **may only travel 4 אמות** in every direction, since he cannot establish a **מקום השביתה** whilst asleep.
    - **חכמים**: This means that he has **4 אמות in every direction**.
    - ר' אליעזר**: He has **4 אמות** in total, which is **2 אמות in every direction**.
    - ר' יהודה**: He has **4 אמות** in total, but he **can choose 4 אמות in 1 direction**.
  - If **one's 4 אמות are within somebody else's 4 אמות**, they **may both eat in the area common to both** of their **4 אמות** and we aren't concerned that one will carry out of his **4 אמות**.
    - This is true even if there are 2 people whose **4 אמות** are common to a third person's **4 אמות** but not to each other's.

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### עירובין

- **ר' שמעון**: Similarly, if a courtyard makes separate עירובים with both of its neighbouring courtyards, items which are in one of the outer courtyards when שבת begins may be carried into the middle courtyard but not to the other outer courtyard.
- If a traveller designates from a distance the area underneath a tree as his מקום השביתה, it's valid if it's less than 8x8 אמות since the centre of the area is certainly part of the 4x4 אמות area which is his מקום השביתה.
  - If he designates the trunk of the tree, it's valid.
- **ר' חנינא בן אנטונינוס**: One may travel exactly 2000 אמות in every direction from his מקום השביתה.
  - חכמים**: One may even travel within the area which would be a square surrounding the circular border of the 2000 אמות limit.
- **ר' מאיר**: Only a poor person may designate a מקום השביתה by being there, without food.
  - ר' יהודה**: Anybody may do so, since using food to change one's מקום השביתה is in place of the main way which is being there when שבת begins.
- **ר' יהודה**: If one is appointed as a messenger to place an עירובי חזומין on behalf of residents of his city and after leaving to do so he turns back, the other residents' מקום השביתה remains unchanged since no עירובי תחומין was placed, but he may carry since his intention was for his מקום השביתה to be in the place that the עירוב was supposed to be.
  - ר' מאיר**: It's a doubt as to whether his מקום השביתה was changed, so he may only travel within the תחום of both מקומות השביתה.
- **חכמים**: If one's 4 אמות which he may travel after leaving his תחום on שבת reach his original תחום of 2000 אמות, he may still not make use of his original תחום.
  - ר' אליעזר**: He may, since the 4 אמות are viewed as a continuation of the original תחום.
    - **ר' שמעון**: Even one who travelled up to 15 אמות past the mark signalling the edge of his city's תחום may still use his city's תחום, since the mark is placed 15 אמות earlier than the edge of the תחום, to prevent people from travelling more.

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### עירובין

- **Measuring the תחום of a city:**

- Any significant structure on the edge of a city which is within  $70\frac{2}{3}$  אמות of the previous structure is considered part of the 'עיבור העיר' – extension of the city, and the תחום begins beyond it.
- **ר' מאיר**: A 'קרפף' –  $70\frac{2}{3}$  אמות of empty land – is left beyond the עיבור העיר of every city and the תחום is measured from beyond that.
  - חכמים**: We only consider this area for 2 adjacent cities whose תחומים overlap if measured beyond a קרפף, and the cities are therefore considered like one city from the edge of which one may travel 2000 אמות.
  - If there are 3 cities, each one close enough widthways to the adjacent city to add a קרפף, but the middle city is not in line with the other 2 but still within their תחום, the middle city is viewed as if it was directly in between the 2 cities and all 3 are considered like one large city for their תחום.
- The people measuring the תחום use a rope of 50 אמות, so that it will be tight but not stretched, and they hold either end at chest height.
- If in their line of measuring, they reach a valley, pile of stones or mountain which is wider than 50 אמות, they should measure its width on its side.
  - **ר' דוסתאי בר רבי ינאי** in the name of **ר' מאיר**: If it's so big such that to measure it on its side would necessitate them to leave the תחום, they shouldn't do so since people will mistakenly think that that's part of the תחום. Rather, they should use a rope of 4 אמות and place it horizontally from one person's chest to the other person's feet who is standing higher up on the mountain.
- The תחום must be measured by experts in measuring.
- If the תחום is measured twice from the same side and different results are obtained, the larger distance is followed since it's assumed that the smaller measurement is due to the rope not being stretched to its full length.
- Even a servant is believed to say where the תחום ends, since the 2000 אמות limit is מדרבנן.
- **חכמים**: A city surrounded by a wall and which can be locked at night can be joined together via a שיתוף מבואות, if the courtyards also all have עירובי חצירות, however so that people don't come to forget about the whole prohibition of carrying, a number of houses holding 50 residents must be left out of the city's שיתוף מבואות.
  - ר' שמעון**: Only 3 courtyards of 2 houses each must be left out.
    - If the city is owned by an individual, and even if he sells it to the public but it's still viewed as a private city, the entire city may be joined together with one שיתוף מבואות since people will realise that this is a special case.
- One who appoints a messenger to make an עירוב תחומין for him but when שבת comes in he is found outside of the תחום of his עירוב but within his house's תחום, his מקום השביתה remains his house since this is assumed to be his intention.

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### עירובין

- The distance from the **עיבור העיר** at which one places an **עירוב תחומין** is the distance he loses on the other side of the city.
- **חכמים**: If a **small city is totally within the תחום of another larger city**, it's **viewed as 4 אמות** only, and if a resident of the smaller city places an **עירוב תחומין** in the larger city then the smaller city is also viewed as 4 אמות.
- **ר' עקיבא**: One who isn't an actual resident of the larger city cannot treat the smaller city as 4 אמות.

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## summaries

### עירובין

#### • שיתוף מבואות and עירובי חצירות:

- If **one person in a courtyard doesn't join in** with the עירובי חצירות, no one may carry in the courtyard unless he is **רשות** his **מבטל** (relinquishes his share in the courtyard).

→ **ר' מאיר**: A **non-Jew** and **one who doesn't agree with the Rabbinic authority** to decree that one needs an עירוב to be able to carry in a courtyard or street which isn't a **רשות הרבים** **cannot be part of an עירוב** or be **מבטל** their **רשות**, to prevent people from living with him.

**ר' אליעזר בן יעקב**: If there is **only 1 Jew living in that courtyard**, he **doesn't need to make an עירוב** since the non-Jew's dwelling isn't considered a significant enough dwelling to require an עירוב and **'דבר דלא שכיחא לא גזרו ביה רבנן'** – the רבנן didn't include uncommon cases in their decrees.

- **רבן גמליאל** recalled that a **'צדוקי'** – one who didn't believe in **תורה שבעל פה** – lived in the same **מבוי** as him and after he was **מבטל** his **רשות**, **רבן גמליאל's** father told the other members of the **מבוי** to take things out into the **מבוי** so that the **צדוקי** can't go back on his **רשות ביטול** by taking his things into it.

**ר' יהודה**: His father told them to do what they needed to do in the **מבוי** before **שבת** began, since the **ביטול רשות** of a **צדוקי** **doesn't work**.

→ If he is **מבטל his רשות in the courtyard but not the house**, **all members of the courtyard may carry** in the courtyard and into/out from the houses of those who are part of the עירובי חצירות, but not into/out from his house.

- If the members who are part of the עירובי חצירות are instead all **מבטל their רשות to him**, he **may carry into and out from his house but they may not**, since multiple people can't be considered guests of an individual.

- If **2 people aren't part of the עירובי חצירות** and the other members are **מבטל** their **רשות** to them, **no one may carry** even if one of those 2 people is then **מבטל** his **רשות** to the other one, since the original **ביטול** of everyone else is invalid since it doesn't directly solve the problem.

→ **בית שמאי**: **ביטול רשות** **cannot be done after שבת** has begun, since it's a transfer of ownership.

**בית הלל**: It **may be done**, since he only gives up his rights to use the courtyard.

→ **ר' מאיר**: One who **takes items out into the courtyard after being מבטל his רשות** **forbids all members from carrying**.

**ר' יהודה**: If he does so **without intending** to regain the rights to his courtyard, his **ביטול רשות** **remains**.

- If a **member of a מבוי has business partnerships with all other members** of the **מבוי** in wine, they **don't need to make a שיתוף מבואות** if he pours the jointly owned wines into one barrel such that there is wine which is owned by all members in one place in the **מבוי**.

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### עירובין

- **חכמים**: If he has a partnership in wine with some members and a **partnership in oil with other members**, this **suffices for a שיתוף מבואות** if he pours them into one barrel.
- **ר' שמעון**: It **doesn't suffice**, since they don't mix together.
- **בית שמאי**: If a **large room which is split into 5 sections** opens into the courtyard and is separated by walls which don't reach the ceiling, **each section must contribute to the עירוב חצירות** since they are viewed as separate.
  - בית הלל**: **Only one contribution needs to be made** from those living in the room.
- If **brothers are supported by their father but live in different houses** opening up into the same courtyard, **each house must make a separate contribution**.
  - If all houses in that courtyard are owned by that family or if the **עירוב** was placed in one of their houses, **none of the family needs to contribute to the עירוב**.
- If **עירובי חצירות** and a **שיתוף מבואות** was made by all of the courtyards in a **מבוי** but **one member of a courtyard forgets to join into the עירובי חצירות**, they **may still carry** since the only reason why **עירובי חצירות** still needs to be made if there is a **שיתוף מבואות** is so that the requirement of **עירובי חצירות** not be forgotten.
- **תנא קמא**: If **Courtyard A is found within or at the back of Courtyard B** such that in order to get to Courtyard B one goes through Courtyard A, **members of Courtyard B may only carry if an עירוב is made in Courtyard A**, since everybody who has right of passage in that courtyard must be permitted to carry.
  - If they **make an עירוב together** and place it in a house in Courtyard B, it's **invalid if any member of either courtyard forgets to join in**.
    - If it's **placed in a house in the Courtyard A**, **members of Courtyard A may still carry** if one member of Courtyard B forgets to join in.
  - If **each courtyard has only one member**, **no עירוב needs to be made** to carry in each courtyard within itself.
- ר' עקיבא**: One **may only carry in Courtyard B** if an **עירוב** is made together between Courtyard A and Courtyard B.
- חכמים**: One **may carry in Courtyard B** even if no **עירוב** is made in Courtyard A.

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## summaries

### עירובין

Courtyards which have access to each other:

- 1) If the wall in between 2 courtyards has a **window** which is at least 4x4 **טפחים** and is partly within 10 **טפחים** from the ground, the 2 courtyards **may make 2 separate עירובי חצירות** and **may also make a joint one**.
- 2) If the **wall** in between 2 courtyards is 4 **טפחים** thick and 10 **טפחים** high, they **cannot make a joint עירוב**, but one may eat on top of the wall without bringing it down into the courtyard since it's its own domain.
  - If there is a 10 **אמות** gap in the wall, it's too large to be considered an entrance and they are **considered to be one courtyard**.
- 3) If there is a **ditch** which is 4 **טפחים** wide and 10 **טפחים** deep, they are **considered 2 courtyards** unless it's **filled up with stones or earth** which is likely to stay there, in which case it's **considered 1 courtyard**.
  - If there is a 4 **טפחים** wide **plank of wood across the ditch**, the 2 courtyards **may also make a joint עירוב** since there is access from one courtyard to the other.
- 4) If there is a 10 **טפחים** high **haystack** between 2 courtyards, they **cannot make a joint עירוב**.
  - They **may allow their animals to eat from the haystack**, and there is no concern that there will no longer be a significant separation between the courtyards.

How a **שיתוף מבואות** is made:

- If one person **makes a שיתוף מבואות from his own food for everybody**, he should hand over the food to somebody else who should have the intention to acquire the food on behalf of all the members of the **מבוי**.
  - His **young children** and **non-Jewish slaves** **cannot acquire it** on behalf of everybody, since their hand is considered an extension of his own hand and they aren't able to acquire something from him.
- One **can make a שיתוף מבואות** on behalf of the members of a **מבוי** **without their permission**, since 'זכין לאדם שלא בפניו' – one can do something which is purely a benefit for somebody else without telling them.
  - If the **courtyard opens up into a מבוי on either side**, one **needs their permission** since by making a **שיתוף מבואות** with one **מבוי**, he isn't able to make one with the other **מבוי**.
    - If **part of the food is destroyed before שבת** begins, somebody should **acquire more food on behalf of all of the members**, but he doesn't need to get their permission again.
    - If **another person moves into the מבוי before שבת** begins, **food must be added with their permission** to the **שיתוף מבואות** for anybody to be able to carry.
- Food which is 'כגרוגרת' – the **size a dried fig** – per person is required for a **שיתוף מבואות**, but it never needs to be larger than 2 meals' worth (the size of 18 dried figs) since that's considered a significant amount.

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## summaries

### עירובין

- **ר' יוסי**: If the amount of food in an **עירובי חצירות** is **reduced after שבת** begins, it's still **valid as long as there is some food left**, since the requirement to make an **עירובי חצירות** despite having a **מבואות שיתוף** is only so that people don't forget about the requirement to make an **עירובי חצירות** when there isn't a **שיתוף מבואות**.
- **ר' אליעזר**: **Any food other than salt or water** can be used for **עירובי חצירות** and **שיתוף מבואות**, but **bread** is required for **עירובי חצירות** to consider all the members to be living in the same household.  
**ר' יהושע**: A **whole loaf of bread** is required, even if it's small, since if some members give pieces of bread and others give full loaves, this could lead to hard feelings.
  - **ר' אליעזר**: One can **give money to a shopkeeper** so that when the member of the **מבוי** who is making the **שיתוף מבואות** comes to buy food for it, he should also give him the food which he is paying for now, since although in general paying for something doesn't acquire the item **מדרבנן**, it **does work** in this case since it's for the sake of a **מצוה**.  
**חכמים**: This **doesn't work**, since the food is not considered his just by paying for it.  
→ If one **gives money to another member of the מבוי** in order that he contribute food for him too, this **does work** since he is paying for the service and not for the food, and both their intentions are that the other member contributes his own food on his behalf.

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## summaries

### עירובין

How an **עירובי תחומים** is made:

- One person can place an **עירובי תחומים** on behalf of other residents of his city, and if it's his own food then somebody needs to **acquire it from him on behalf of everybody** who will make use of the **עירוב**.
  - Only one who knows about the **עירוב** before **שבת** may use it, and one **may only use it for the sake of a מצוה** such as comforting a mourner.
- **ר' מאיר**: 2 weekday meals' worth are required for each person who is using the **עירוב**, so that it's considered his **מקום השביתה**.
  - ר' יהודה**: 2 **שבת** meals' worth are required.
    - Both **ר' מאיר** and **ר' יהודה** intended to be lenient, and their argument is in which meal does one eat more bread.
  - ר' יוחנן בן ברוקה**: 2 meals' worth is the size of 6 eggs.
  - ר' שמעון**: 2 meals' worth is the size of 5½ eggs.
    - The clothes of one who **stays in a house which has צרעת for enough time to eat 1 meal become טמא**, and according to **ר' יוחנן בן ברוקה** this refers to food which is the size of 3 eggs, whereas according to **ר' שמעון** this refers to food the size of 4 eggs, since this **טומאה** is **מדאורייתא**, whereas **עירובין** is **מדרבנן** so smaller meals are required.
    - One who **eats half a meal's worth of טמא food may not eat קרבנות or תרומה**, which is the size of 1½ eggs according to **ר' יוחנן בן ברוקה** and 2 eggs according to **ר' שמעון**.

Laws of **עירובי חצירות**:

- If the **upper storey of an apartment opens into a long balcony** which runs along the whole courtyard from which there are stairs to get into the courtyard, they can make an **עירובי חצירות** without the members of the lower storey which opens directly into the courtyard.
  - If the upper storey and the lower storey have separate **עירובי חצירות** and don't make a joint **עירוב**, the members of the upper storey may carry things from the balcony onto items in the courtyard whose tops are **higher than 10 טפחים from the ground** and **within 10 טפחים of the balcony floor**.
    - If it's **further than 4 טפחים from the balcony** horizontally, or if it's **within 10 טפחים of both floors**, they are considered equally accessible to both the upper storey and lower storey members and so neither may carry to/from there, unless a joint **עירוב** was made.
- If the **עירוב** is placed in a **gatehouse, roofed porch area, balcony** or any area which is not fit for living, it's **invalid**.
  - Therefore, one who is living there **doesn't need to be part of the עירוב**.
  - **ר' יהודה**: If **one of the houses is rented for שבת** and the owner left his belongings there, the household **doesn't need to be part of the עירוב**.

# TIME 4 MISHNA

## summaries

### עירובין

- **ר' מאיר**: One who **spends שבת outside of the courtyard's תחום** still **forbids the other members from carrying** in the courtyard if he isn't part of the **עירוב חצירות**.  
**ר' יהודה**: He **doesn't forbid them**, since he's not considered a resident for **שבת**.  
**ר' יוסי**: A **Jew doesn't forbid them**, but a non-Jew does since he might return on **שבת**.  
**ר' שמעון**: Even if he spends **שבת** in the same city **at his daughter's house**, he **doesn't forbid them** since he is unlikely to return on **שבת**.
- **חכמים**: One may only draw water from a **pit in between 2 courtyards** if there is a **10 טפחים high** partition in or above the water, with at least **1 טפח** above the water.  
**רבן שמעון בן גמליאל** in the name of **בית שמאי**: It must be totally **within the water**, except for **1 טפח**.  
**רבן שמעון בן גמליאל** in the name of **בית הלל**: It can be **above water** too, as long as part of it is within the water.  
**ר' יהודה**: **No partition is needed if there is a wall above the pit**, since a **'מחיצה תלויה'** – partition which doesn't touch the ground – is considered a valid partition, as if it does.
- If a canal of water which is at least **10 טפחים deep** and **4 טפחים wide** runs through a courtyard, it's **forbidden to draw water** from it since it's considered a **'כרמלית'** – area which doesn't meet the conditions of a public or private domain so **נדרבנן** has the stringencies of both, unless there is a **10 טפחים high** partition in the canal at the entrance and exit to the courtyard.  
**ר' יהודה**: **No partition is needed** if there is a wall above the pit.
- If a **balcony directly above a pit** has a hole in the floor for filling up water with a bucket from the pit, he may not do so unless there are **10 טפחים high** partitions above or below the balcony, which creates a **רשות היחיד** down to the pit, according to the concept of **'גוד אחית מחיצתא'** – a partition is viewed as descending down to the ground.
  - If there is **another balcony below it with a hole**, they **may both draw water**.
    - If **only the lower balcony has a partition**, they are **both forbidden to draw water** unless they make an **עירוב** together, since the owner of the upper balcony has right of passage through the lower balcony.
      - The same applies if only the upper balcony has a partition and the owner of the lower one contributed to making it.
- If one's courtyard is **smaller than 4x4 אמות**, one **may not pour water** into it for it to be absorbed into the ground and flow into the public domain, unless there is a hole in the ground which can hold **2 סאה** of water.
  - If the hole is not inside the courtyard but directly outside, it **must be covered** to show that it's separate from the public domain.
  - If there are 2 balconies opposite each other and **only one member makes a hole**, only he may pour water into the courtyard, since the hole is only near him.
    - If there **isn't an עירוב**, he **may still pour water onto the balcony** for it to then flow into the courtyard by itself.
- **ר' אליעזר בן יעקב**: If a **gutter flows into a public domain** and **4x4 אמות** of it is covered in the public domain, one **may pour water into the courtyard**.  
**חכמים**: It's **permitted indirectly**, e.g. to pour water down from the roof.

# TIME 4 MISHNA

## summaries

### עירובין

- **What is considered part of one domain:**

- **ר' מאיר**: All **rooves** of a city are considered **one domain**, so it's **permitted to carry** any item which was on a roof at the beginning of **שבת** to any other roof.

→ It's **forbidden מדרבנן** to **carry** something to/from a roof or any structure within a private domain which **reaches 10 טפחים** higher than the ground, in case one comes to carry something to/from such a structure inside a **רשות הרבים**.

**חכמים**: They are considered **separate domains**, so it's **forbidden unless an עירובי חצירות** is made.

→ If an **entire side of a roof/courtyard borders the side of a wider roof/courtyard** and is less than 10 **אמות** wide, it's **forbidden to carry in the smaller one**, since **'נפרץ במלואו למקום האסור לו'** – it opens up totally to a place to/from which it's forbidden to carry – unless an **עירובי חצירות** is made between them.

- If it's **wider than 10 אמות**, it's **forbidden to carry even in the larger one** since it's no longer considered just an opening or entrance.

**ר' שמעון**: All **rooves, courtyards** and **קרפף** (enclosures for living purposes which are no larger than a **בית סאתים**) are considered **one domain**.

- **ר' אליעזר**: If a **courtyard opens up to a רשות הרבים** for at least 10 **אמות** of its length, the area where the wall would be is **considered part of the רשות הרבים**.

**חכמים**: The entire courtyard is **considered a כרמלית**.

- **ר' יהודה**: If a **courtyard or house opens up to a רשות הרבים at a corner**, or if the beams are removed from the entrance of a **מבוי**, it's **permitted to carry there for the rest of שבת**, just like when an **עירוב** becomes invalidated after **שבת** began.

**ר' יוסי**: It's **forbidden**, since the entire domain is now considered to be a **כרמלית** and not a **רשות היחיד**.

- **ר' יהודה**: If a **structure or bridge is built above an area where the public walk**, one **may carry beneath there**, since **'פי תקרה יורד וסותם'** – the edges of the roof are viewed as coming down to the ground – and the area in between the walls is like a **רשות היחיד**.

**חכמים**: This is **forbidden**, since the public pathway goes through this area.

- **ר' יהודה**: A **מבוי which opens up to a רשות הרבים on both sides** is **מדאורייתא** considered a **רשות היחיד** so a **שיתוף מבואות** can be made.

**חכמים**: It isn't, so it's **forbidden to carry** there unless a third wall or partition is added.

# TIME 4 MISHNA

## summaries

### עירובין

- **Laws regarding carrying in a רשות הרבים and in a different רשות to where one is located:**

- **חכמים:** One who **finds תפילין in an unguarded place** should wear **1 pair** at a time and thus transport them to a guarded place, since **'שבת זמן תפילין היא'** – the מצוה of תפילין applies on שבת too **מדאורייתא** – so to wear more than pair is a violation of **'בל תוסיף'** – adding on to a מצוה.

**רבן גמליאל:** One may wear **2 pairs** at a time, since although **'שבת לאו זמן תפילין היא'**, they must be worn in the regular way and there is enough room on the area on one's head where he can fulfil the מצוה (and is thus considered the regular way of wearing).

→ If it's **not certain that these are real תפילין**, one **may leave them** there.

→ If there are **many pairs** of תפילין or they are **tied to each other**, he **should remain with them until שבת ends** and then carry them regularly.

- If the **government forbid** the observation of מצוות so it's dangerous to stay there, he **should cover and leave them**.

- **חכמים:** If there's a **danger of bandits**, he may carry them for **less than 4 אמות at a time**, which is only forbidden **מדרבנן**.

**ר' שמעון:** He should pass it along **from one person to another**, but not walk with it.

- **ר' יהודה:** One may pass an **ownerless item from one person to another**, even past 2000 אמות of its original location.

**חכמים:** It **cannot be taken further**, since it has a **השבייתה** מקום.

- One who holds a scroll on a raised platform which is a **כרמלית**, and it rolls down and rests on a slanted surface in a **רשות הרבים** (within 10 טפחים from the ground), he **may not roll it back to himself**, so that one doesn't come to transport things from a **רשות הרבים** to a **כרמלית** in a situation where he wasn't still holding onto it. Rather, he **should turn it over so that the writing faces the wall**.

→ **חכמים:** If it's **within 3 טפחים** of the ground, he **may not roll it back to himself** since it's viewed as touching the ground due to **לבוד**.

**ר' יהודה:** It's **permitted**, since it hasn't come to rest on a surface.

**ר' שמעון:** Even if it reaches the ground, he **should roll it back** to preserve their honour.

- One **may place fragile items on a windowsill** above 10 טפחים from the ground, since if they fall into the **רשות הרבים** he won't come to pick them up and transport them to the windowsill which is part of the **רשות היחיד**.

1) One who is standing in a **רשות הרבים** **may move** items in a **רשות היחיד** and vice versa, as long as he doesn't need them in his domain and he doesn't move them a distance of 4 אמות in the **רשות הרבים**.

2) One who is standing in a **רשות הרבים** **may not urinate** or **spit** into a **רשות היחיד** and vice versa.

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## summaries

### עירובין

→ **ר' יהודה**: If **spit gathers in one's mouth**, he **may not walk for a distance of 4 אמות** whilst 'carrying' it.

1) One who is standing in a **רשות הרבים** **may drink** in a **רשות היחיד** if the majority of his body is the **רשות היחיד**, and vice versa.

→ One may drink wine from a winepress before its processing has been completed **without tithing it**, if he leans the majority of his body over the winepress, since this is not considered fixed, formal drinking.

2) **ר' מאיר**: One who is standing in a **רשות הרבים** may not **unlock** something in a **רשות היחיד**, unless he makes a **10 טפחים** high partition around himself, and vice versa unless he makes a partition around that which he is unlocking.

**חכמים**: This is permitted without making a partition.

- One who is standing in a **רשות הרבים** **may not place** a utensil right next to a **gutter** whose edge is **within 3 טפחים** of the wall of the **רשות היחיד**, since he is thus transferring water from a **רשות הרבים** to a **רשות היחיד**.

→ If a pipe juts out away from the wall by **more than 3 טפחים**, it's still **forbidden to place** the utensil right next to it if it's above **10 טפחים** from the ground, so that one doesn't come to do so with a pipe which is **4x4 טפחים** above **10 טפחים** from the ground which would be a **רשות היחיד**.

- If a **pit in a רשות הרבים** is surrounded by a **10 טפחים** high wall, one **may draw water** from there through a window in an adjacent **רשות היחיד**, since it just goes through a 'מקום פטור' – place which has no limitations of carrying on **שבת** – as the airspace of a **רשות הרבים** only reaches a height of **10 טפחים**.

- If the **branches of a tree lean downwards and are within 3 טפחים of the ground**, one **may carry underneath it** due to **לבוד**.

→ If the **roots of a tree reach a height of 3 טפחים**, it's **forbidden to sit on them**, as this is using the tree, which is forbidden **מדרבנן** in case one breaks off a branch.

- If a **door of an enclosure is taken off** and put back on when opened and closed, one **may not put it back in place** on **שבת** unless it's tied to the wall or roof, so that it doesn't appear like building.

- **ר' אלעזר**: One **may not place** a **bolt with a knob** at its end onto a door, since it appears like adding on to a building.

**ר' יוסי**: This is **permitted**, since it can be used for crushing spices so it doesn't appear like adding on to a building permanently.

- **Implications of the rule that 'במקדש לא גזרו משום שבות' – Rabbinic prohibitions of שבת don't apply in the בית המקדש:**

- **חכמים**: One **may not lock** a door with a **bolt** which is **tied** to a door but dangles on the ground, except for in the **בית מהמקדש**.

**ר' יהודה**: One **may do so**, but if it's **not tied** then it's **forbidden** outside the **בית המקדש**.

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## summaries

### עירובין

- חכמים**: One **may not put a door back** into its **bottom hinge** except for in the **בית המקדש**, in case one comes to fix it properly.

**ר' יהודה**: One may not put the door back into **both of its hinges** except for in the **בית המקדש**, but it's permitted to place it into its bottom hinge.
- One **may not put on a bandage**, in case one comes to smooth the cream, but he may take it off in order to serve in the **בית המקדש** and even **put it back on**, since ' **התירו** ' **סופו משום תחלתו** – the **חכמים** permit doing something at a later time so that one will do something at an earlier time.
- חכמים**: One **may retie a string on an instrument** needed for the service in the **בית המקדש**, since ' **מכשירי מצוה דוחים את השבת** ' – acts which are necessary to allow the performance of a **מצוה** override the prohibitions of **שבת**.

**ר' שמעון**: This is **forbidden**, since it could lead to the **מדאורייתא** prohibition of tying a permanent knot.

→ It's **forbidden** to **tie it for the first time** on **שבת**, since this could have been done before **שבת**.
- One **may cut a wart** of a **כהן** in an unusual way, so that he can serve in the **בית המקדש**.
- One **may wrap a bandage around a wound** on a **כהן's** left hand, so that he can serve.

→ It's forbidden to apply pressure so that blood is drawn from the wound.
- It's **permitted to spread salt on the ramp of the מזבח**, to prevent slipping.
- Although one may not **draw water from wells using ropes** in case one comes to water his fields due to the ease of drawing the water, it's **permitted in the בית המקדש**.

→ It's **permitted** to draw water from the ' **באר הקר** ' **well** on **יום טוב**, since the **חכמים** permitted this for the people travelling to build the 2nd **בית המקדש**.
- ר' יוחנן בן ברוקה**: If a dead ' **שרץ** ' – one of the 8 small creatures which the **תורה** lists as having a severe level of **טומאה** when dead – is **found in the בית המקדש**, a **כהן** should remove it with his **belt** (**אבנט**) so that it's removed as soon as possible.

**ר' יהודה**: He should fetch **wooden tongs** to remove it, since that can't become **טומא**.

→ **ר' שמעון בן ננס**: If it's found in a part of the **בית המקדש** other than the **היכל**, **אולם** and **between the אולם and מזבח**, one should **place a pot on top of it** until the end of **שבת**, since it's not an obligation to remove it and it's **מוקצה**.

**ר' עקיבא**: It's an **obligation to remove it** from the **עזרה** too.
- ר' שמעון**: If one is **located within 15 אמות of the mark of the edge of a city's תחום** when **שבת** begins, the **city is considered to be his השביתה מקום**, since the mark was placed 15 **אמות** before the end of the **תחום**.