

דף ב.

ואם יש לו צורת הפתח אין צריך למעט

1] • הוצאה - carrying - is one of the thirty-nine categories of melacha prohibited on Shabbos. One violates this melacha by carrying an object between a רשות הרבים - public domain - and a רשות היחיד - private domain - or by carrying four *amos* (approx. 6-8 feet) in a *reshus horabbim*.

• In the times of the Mishna several houses would open into a common חצר (courtyard) and several *chatzeiros* opened into a common מבוי (alleyway), which in turn opened into the street.

• *Min haTorah*, an area enclosed by three walls, such as a *movui*, is classified as a *reshus hayachid*.¹ Thus, carrying from one's house to the *movui*, or carrying within the *movui* itself, is permitted *min haTorah*. The sages, however, prohibited carrying in a *movui* which has one side entirely open to the street unless some type of תיקון (improvement/enhancement) is made in the entrance of the alleyway.²

• There are three methods by which a *movui* could be rectified so as to permit carrying there. (a) Placing a "קורה" - crossbeam - across the top of the entranceway. (b) Placing a "לחי" - side-post - on the side of the entrance. (c) Erecting a צורת הפתח (door frame, commonly called an *eruv*)³. The *tzuras hapesach* consists of two side-posts on either side of the entrance with a crossbeam (or string) across the top.

[Note: The Gemara on 12a states that a *chatzeir* requires a different type of תיקון than a *movui*. Whereas, a קורה or לחי is effective (in permitting carrying) in a *movui*, a *chatzeir* requires ב' לחיין או פס ד' - either two narrow side-posts or one four-*tefach*-wide board. Significantly, the Ramoh⁴ writes that the minhag today is to erect a *tzuras hapesach* at the entrance of a *chatzeir* or a *movui* and we usually do not rely on the other תיקונים mentioned in the Mishna and Gemara.]

2] The Mishna says that the construction of a לחי (side-post) or a קורה (crossbeam) effectively permits carrying in a *movui* only if the doorway of the *movui* is no more than ten *amos* wide. Moreover, the Mishna says that a קורה is effective only if it is placed no higher than twenty *amos*.

Tosfos (11a, איפכא), as well as several other Rishonim, state there is a maximum height-limit only with regard to *korah* but not with regard to *lechi*. A *lechi* is valid even if it is taller than 20 *amos* (as long as the *lechi* reaches the ground and is not suspended).⁵

The Mishna states that if the entryway to the *movui* is more than twenty *amos* high, the entryway (or the *korah*) must be lowered because a *korah* higher than twenty *amos* is not valid.⁶ Also if the entrance of the *movui* is wider than ten *amos*, the entrance must be narrowed (because *korah* and *lechi* are not

effective for a *movui* whose entrance is wider than ten *amos*). The Mishna adds that a *movui* whose entrance is wider than ten *amos* can also be rectified with a *tzuras hapesach*.

The Gemara below on 11a says that just as a *tzuras hapesach* is a valid *תיקון* even if it spans an entranceway wider than ten *amos*, it is also valid when it is higher than twenty *amos*.

The Rashba asks why the Mishna says that a *korah* higher than twenty *amos* must be lowered. The Mishna should have offered the option of rectifying such a *movui* [without lowering the *korah*] by forming a *tzuras hapesach* - which can be accomplished by placing two side-posts under either side of the twenty-*amah*-high *korah*?

The Ran answers that the Mishna did not mention this option because it is obvious that placing side-posts under a twenty-*amah*-high crossbeam will rectify the *movui* since, as mentioned above, even a single side-post (לחי) without any crossbeam is sufficient. (cf., Al Hadaf below יא דף.)⁷

דף ג.

קורה טעמא מאי משום היכרא

Rav Yehuda explains in the name of Rav (2a) that the reason a *korah* higher than twenty *amos* is not valid is that the purpose of the *korah* is to transform the opening of the *movui* into a "פתח" - "doorway". When the sages forbade carrying in an area enclosed by only three walls, they said that if the fourth side appears as a "פתח", the area is considered as though it is fully-enclosed and carrying is permitted there. Rav derives from p'sukim that the maximum height of a "pesach" (doorway) is twenty *amos*. A *korah* placed above twenty *amos* is ineffective because it cannot be classified as a "pesach".

Rav Nachman bar Yitzchak (3a) explains that a *korah* does not function to create a פתח but rather serves to demarcate between the area inside the *movui* and the *reshus harabbim* outside the *movui* (היכר).

Rashi explains that the sages forbade carrying in an entirely open *movui* because of a concern that people might confuse an open *movui* with the adjacent *reshus harabbim*. If

carrying in an open *movui* were permitted, people might think that carrying in the adjoining *reshus harabbim* is also permitted. The sages therefore decreed that carrying in a *movui* is prohibited unless a noticeable *תיקון*, such as a *korah*, is placed in its entrance to symbolize that a *movui* has a status different from that of a *reshus harabbim*. The *korah* may not be placed above twenty *amos* because it will not be noticeable at that height (למעלה מ' אמה) (לא שלטא ביה עינא).

Rabbeinu Yehonason offers another explanation for the sages' ban on carrying in an open *movui* (lacking the *תיקון* of *korah*, *lechi* or *tzuras hapesach*). There is a concern that if there is nothing at the entrance of the *movui* setting it apart from the street, someone moving an item in the street right outside the *movui* might mistakenly carry it over the threshold of the *movui* without realizing that he is thereby transporting the item from one domain to another. [Note: Carrying less than four *amos* within a *reshus harabbim* is permitted,⁸ but carrying from one domain to another is prohibited even if one carries a distance of less than four *amos*.⁹] The *korah* reminds one not to carry something from the street into the *movui*, or from the *movui* to the street.

The Sefas Emes points out that according to Rabbeinu Yehonason's explanation, it follows that even if the members of the *movui* have no interest in carrying in their *movui*, they still have a *mitzvah* to place a *korah* or *lechi* in the entrance of their *movui* to prevent a passer by who picks up something in the street outside the *movui* from mistakenly carrying it into the *movui*.¹⁰ Whereas, according to Rashi, the sages only banned carrying in a *movui* which lacks a *korah* or *lechi*, but they did not require a *korah* or *lechi* in a *movui* whose members are not interested in carrying there.¹¹

Alternatively, the Gaon Yaakov explains that even according to Rabbeinu Yehonason, the sages did not mandate a *תיקון* on a *movui* unless the members wish to carry there. However, the sages assumed that as a matter of course, the

members of every *movui* would erect a *korah* or *lechi* because generally, everyone wants to carry in their *movui*. Thus, when the sages banned carrying in an open *movui*, they were confident that every *movui* would now erect a *korah* or *lechi* (and this would serve to remind people from the street not to carry over the threshold into the *movui*).

דף ד:

דבר תורה רובו ומקפיד עליו חוצץ

- When a tamei person immerses in the mikveh he must remove any foreign matter, called *חציצה* - separation/interference - attached to his body, so that the mikveh water can come in contact with his entire body.

R' Yitzchak states that *min haTorah* a chatzitzah does not invalidate one's tevilah unless the following two factors are present:

(a) רוב - majority. The chatzitzah covers more than 50% of the person's body (or hair).¹²

(b) מקפיד (objectionable matter). The chatzitzah consists of something that a person usually objects to and would like removed from his body, such as dirt.

By rabbinic decree, however, the presence of either one of these two factors invalidates one's tevilah. If a person immerses and he has a chatzitzah which envelops רוב - the greater part of his body - the sages invalidated the tevilah even if it is a *חציצה שאינו מקפיד עליו* - if it is a chatzitzah he does not object to, such as an ornamental item attached to his body. Also, if the chatzitzah covers only a *מיעוט* (less than 50%) of one's body, but it is a *דבר שמקפיד עליו* (something people generally object to), the tevilah is invalid *miderabbanan*.

R' Elchanan Wasserman¹³ raises an interesting question. He argues that today, a chatzitzah attached to רוב of one's body should invalidate the tevilah *min haTorah* - even if it is a *דבר שאינו מקפיד עליו* such as an ornament. Since such a chatzitzah invalidates one's tevilah by rabbinic decree, presumably a person would want it removed before his immersion (to ensure his tevilah is valid), even though he doesn't inherently object to the item. Hence, a chatzitzah which is *רובו ואינו מקפיד עליו* should develop into a chatzitzah which is *רובו ומקפיד*

and it should invalidate one's tevilah *min haTorah*.¹⁴

R' Elchanan cites an innovative answer in the name of R' Chaim Brisker. R' Chaim points out that if a person, for example, has a [non-objectionable] chatzitzah covering 75% of his body, he can validate his tevilah by removing a little more than one-third of the chatzitzah. After doing so, he would have a [non-objectionable] chatzitzah on less than 50% of his body, and such chatzitzah would not invalidate his tevilah at all (for it is *מיעוט ואינו מקפיד*). Hence, explains R' Chaim, if a person has a [non-bothersome] chatzitzah on 75% of his body and he objects to the chatzitzah [only] insofar as it interferes with his tevilah, he really objects only to a small portion of the chatzitzah (i.e., the one-third that must be removed). Therefore, such a chatzitzah does not transform into a chatzitzah *min haTorah* because the portion that he objects to covers less than 50% of his body (i.e., it is not *רובו ומקפיד*).¹⁵

2] ורחץ את בשרו, את הטפל לבשרו, והו שער

The braysoh deduces from a seemingly redundant word in the posuk (ורחץ את בשרו) that when immersing in a mikveh even one's **hair** must be free of chatzitzah.

Rashi (ד"ה רובו) indicates that an objectionable chatzitzah on the majority of one's hair invalidates the tevilah, even though there is no chatzitzah on his body. [Tosfos seems to understand that Rashi is of the opinion that the law of *חציצה ברוב* applies only to one's hair, but if one has a chatzitzah on his body, the tevilah is invalid even if the chatzitzah covers only a small percentage of his body.]¹⁶

The Gaonim¹⁷ rule that a person's body and a person's hair are each viewed as a separate entity. In other words, a chatzitzah on the majority of one's body (without counting his hair), or a chatzitzah on the majority of one's hair invalidates his tevilah. [Some say that Rashi agrees with this view.]¹⁸

Rashi also seems to be of the opinion that as long as there is a small chatzitzah on each hair

the tevilah is invalid, for we do not reckon with the entire surface of the hair. Thus, if the majority of one's hairs each have a single knot, the tevilah is not valid. [Indeed, a woman is obligated to carefully comb out and examine each of her hairs prior to tevilah to ensure they are entirely clean and free of knots, see Bava Kamma 82b.]¹⁹

Some authorities²⁰ are of the opinion that only hairs of the head are viewed as a separate entity (with respect to חציצה ברוב), but body hair is reckoned together with the rest of the body. Others maintain that all the hair on one's body is reckoned together as one entity, meaning that one's tevilah is not invalidated unless the majority of all of one's hair on his entire body has a chatzitzah.²¹

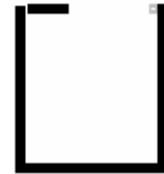
The Panim Meiros²² is of the opinion that the hairs of each area on the body is reckoned separately. For example, if the majority of one's hair under his arms have a chatzitzah, the tevilah is invalid, even if the rest of his hair and body is free of chatzitzah.²³

**דף ה.
לחי הבולט מכותלו של מבוי ד' אמות
צריך לחי אחר להתירו**

As explained above, the sages enacted that carrying in a *movui* is forbidden unless a *korah* or *lechi* is placed at the entrance. The Gemara cites two views as to the halachic mechanics of *korah*. One view says קורה משום מחיצה - a *korah* functions as a wall or partition. The sages ordained that a *korah* placed at the entrance of a *movui* is to be viewed as though it is a full wall closing off the *movui*. Another view holds קורה משום היכר - a *korah's* function is merely to symbolize that a *movui's* status is different from that of a *reshus horabbim* - but it is not viewed as though it is a wall. A similar dispute is found below on 12b and 15a with regard to "*lechi*". Some view *lechi* as a מחיצה while others view it as a היכר.²⁴

Rami bar Chama states in the name of Rav Huna that a four-*amah* wide board that is positioned at the entrance of the *movui* is not a valid *lechi* (see diagram). A board of that size is viewed as an extension of the *movui's* wall

rather than a *lechi*. To permit carrying in such a *movui* another (narrower) *lechi* must be erected.²⁵



The Maggid Mishna²⁶ notes that the Rambam, in codifying the *halacah* of לחי, fails to mention Rav Huna's *halacah* that the *lechi* must be less than four *amos* wide.

In answer, the Mirkeves HaMishna²⁷ submits that Rav Huna's *halacah* is linked to whether a *lechi* functions as a מחיצה or a היכר. The reason a *lechi* four *amos* wide is not valid is that the aspect of היכר is lacking since it appears as though it is a wall of the *movui* rather than a side-post. The Rambam,²⁸ does not codify this requirement because he is of the opinion that a *lechi* functions as a מחיצה and not as a היכר. The Rambam does not limit the width of a *lechi* because a wide board, if anything, is even more similar to a מחיצה than a narrow pole.²⁹

Tosfos (5b, ד"ה ארבע) disagrees and maintains that Rav Huna's *halacah* is not related to the question of לחי משום היכר או משום מחיצה. Tosfos postulates that even according to the opinion that views a *lechi* as a מחיצה, a valid *lechi* must include an element of היכר as well. Only a לחי which is recognizable as such can function as a מחיצה. Tosfos says that even according to the view that holds לחי משום מחיצה, a board that is four *amos* wide is an invalid לחי since the element of היכר is lacking.³⁰

**דף ו:
אמר רבי יוחנן ירושלים אילמלא דלתותיה
ננעלות חייבין עליה משום רשות הרבים**

The *halacah*³¹ follows R' Yochanan who says that it is prohibited to carry on Shabbos in a large city, such as Yerushalaim, even if the city is encircled with a *tzuras hapesach* - unless the city has gates which are closed at night. R' Yochanan is of the opinion that a *tzuras hapesach* effectively encloses and permits carrying only in an area where carrying is prohibited only due to a rabbinic decree, such as in a *movui* or *karmelis*. However, a *tzuras*

hapesach is not sufficient to permit carrying in an area that has the status of a *reshus horabbim*, where carrying is biblically prohibited.

- The thirty-nine categories of prohibited melachos are based on thirty-nine types of labor performed during the construction of the *mishkan* (Tabernacle in the wilderness). One is not liable to a chattos for the act of hotza'ah (carrying) unless he carries in a street or thoroughfare similar to the thoroughfare in the midbar, for one must perform an act of carrying similar to the type of carrying performed in the midbar.

The Gemara in Shabbos 99a says that a street or marketplace qualifies as a *reshus horabbim* (where one who carries is subject to a chattos) only if it is the size of B'nai Yisrael's encampment in the midbar - which was sixteen *amos* wide.

Rabbeinu Ephraim³² maintains that a walled city lacks the status of *reshus horabbim* only when its gates are actually closed (such as, during the nighttime). However, whenever the city gates are open, such as during the daytime, the city has the status of a *reshus horabbim*. Thus, he says one may not carry in such a city during the daytime, even if the city is enclosed by a *tzuras hapesach*.³³

The consensus among many other Rishonim is that a city whose gates are closed at night is never classified as a *reshus horabbim*, even at times when the gates are open. Rashi (101a, ד"ה חייבך) explains that only a thoroughfare that is accessible at all times is considered a *reshus horabbim* because it must be similar to B'nai Yisrael's camp in the midbar which was always open and accessible. A thoroughfare which is not always accessible, such as one that is blocked by gates at night, is not similar to B'nai Yisrael's camp in the midbar and thus is not classified as a *reshus horabbim*.

The Rashba³⁴ adds that the city need not be closed from all sides. Even if there is just one gate blocking entry to the city from one side, it is not a *reshus horabbim*. The significance of the city gates is that they disrupt the steady flow of traffic through the city, thus rendering it dissimilar to the camp in the midbar which was

open to the public at all times. As long as the entrance on one side is shut at night, the city is not a *reshus horabbim* since through traffic will not enter the city at night when the exit at the opposite end of the city is blocked.

The Chazon Ish³⁵ and Igros Moshe³⁶ assert that carrying during the daytime when the gates are open is permitted only if the openings of the city have a *tzuras hapesach*. Gates (when in an open position) function to render the city a *reshus hayachid* only in conjunction with a *tzuras hapesach* because the city must be enclosed with מחיצות (halachically recognized walls), and an open gate is not considered a *mechitzah*.³⁷

- The Rambam³⁸ seems to be of a lenient opinion that carrying is permitted in a city enclosed by a *tzuras hapesach* as long as the city has gates which are capable of being closed, even if the gates are regularly left open (see Gemara, "ראויות לנעול אע"פ שאין ננעלות").

דף ז עוד בענין הנ"ל

1] • As stated above, encircling a city or neighborhood with a *tzuras hapesach* ("eruv") is not effective (to permit carrying) unless the city has gates, or the city is a *karmelis* and not a *reshus horabbim min haTorah*.

As stated above, a *reshus horabbim* is defined as a street or marketplace that is sixteen *amos* wide (approx. 28 feet).

Rashi (6a, ד"ה ר"ה and 6b ד"ה ירושלים), as well as several other Rishonim³⁹ assert that an additional criterion of a *reshus horabbim* is that the area must be traversed by 600,000 people - since that was the number of people encamped in the midbar.⁴⁰

According to Rashi a neighborhood or city that is not inhabited by 600,000 people is deemed a *karmelis* and the construction of an *eruv* is sufficient to permit carrying there.⁴¹

The P'nei Yehoshua⁴² suggests a scriptural allusion for this additional *reshus horabbim* qualification of 600,000 people: The posuk in Sh'mos (36:6) relates how the people kept

donating very generously towards the construction of the *mishkan* until the point that there was an overabundance of material and Moshe had to ask them to stop. Moshe proclaimed, "Men and women, do not do any more work (meaning, do not bring more material) for the construction of the *mishkan*" (ועבירו קול במחנה לאמר איש ואשה אל יעשו עוד) (מלאכה). The Gemara in Shabbos proves that this proclamation took place on Shabbos and the Gemara explains that Moshe insisted that the people desist from carrying anything in the camp - thereby teaching them that it is forbidden to carry on Shabbos.

The P'nei Yehoshua suggests that Moshe made that proclamation telling the people to desist from carrying as soon as he saw that there was enough material for the *mishkan*, because at that point it became clear to him that there were 600,000 people in the camp. The posuk in Sh'mos 38:26,27 relates that 600,000 half-shekels (collected from each male Jew above the age of twenty, see Parshas Ki Sisa, Sh'mos 30:13) equaled the weight of 100 silver kikars which was the amount needed for the silver אדנימ (sockets) in the *mishkan*. Thus, the posuk says that when Moshe was informed that there was enough material for the *mishkan*, meaning that they collected more than 100 silver kikars for the sockets, he understood that there were at least 600,000 Jews (who contributed one-half-shekel towards these sockets). At that point he proclaimed that everyone should desist from carrying, because he knew that a place inhabited (or traversed) by 600,000 people is a *reshus horabbim*.⁴³

2] The Ramban and many other Rishonim⁴⁴ disagree and maintain that the only criterion for a *reshus horabbim* is that it measure sixteen *amos* wide, but it need not be populated by 600,000 people. Accordingly, in order to permit carrying in a street that is sixteen *amos* wide, it must have gates which are closed daily [in addition to an *eruv*].⁴⁵

The Mishna Halachos⁴⁶ argues that since the purpose of the gates is to render the area inaccessible (as explained above), it is not

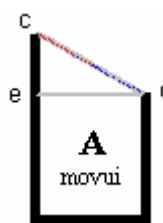
necessary to have actual gates, but rather any device that disrupts the constant flow of traffic is sufficient. He submits that since our streets today have traffic lights and stop signs which stop the flow of traffic, even a large city such as New York City (which is traversed by 600,000 people daily) does not have the status of a *reshus horabbim* (and carrying is permitted if there is an *eruv*).

R' Moshe Feinstein⁴⁷ disagreed with the Mishna Halachos' novel assertion and was opposed to erecting an *eruv* in large cities that are populated by 600,000 inhabitants. He argued that the stop signs and traffic lights that control the traffic serve to enhance, rather than hinder, the flow of traffic. Therefore, such traffic controlling devices do not serve the same function as gates which prevent traffic from entering and passing through the city.⁴⁸

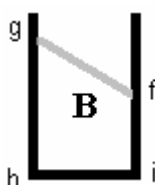
דף ח:

מבוי שצידו א' ארוך וצידו א' קצר

Rava says that if one of the side walls of a *movui* is longer than the other (see diagram A), the *korah* may not be placed diagonally across the entrance from the edge of the short wall to the edge of the long wall (*korah* CD). Rather, the *korah* must run from the edge of the short wall perpendicularly across to the middle of the long wall (*korah* ED). The Gemara explains that a *korah* placed diagonally across the entrance of such a *movui* does not permit carrying in the extended part of the *movui* (i.e., in the triangular area CDE) because people can easily confuse that area with the *reshus horabbim* (since it is exposed on two sides to the *reshus horabbim*).⁴⁹



The Rosh⁵⁰ differentiates between a *korah* placed diagonally across a *movui* at its entrance (such as *korah* CD in *movui* A), and one placed diagonally across the middle of a *movui* (such as *korah* GF in *movui* B). Rava only prohibits a diagonal *korah* at the



entrance of an uneven *movui* (*movui* A) because the *korah* extends beyond the short wall of the *movui*. However, in the second case, where the entire *korah* is inside the *movui* and does not extend past the side walls, the fact that it is placed diagonally across the *movui* (*korah* GF) does not pose a problem since it does not function to permit carrying beyond the walls of the *movui*.

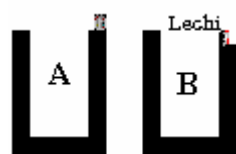
The Taz⁵¹ maintains that one may position a *korah* diagonally across the inside of a *movui* (as permitted by the Rosh) only if the *korah* measures no more than ten *amos*. If *korah* GF measures more than ten *amos* across, it is not valid because the Mishna on 2a says that a *korah* longer than ten *amos* is ineffective.

The Shulchan Atzei Shittim⁵² disagrees with the Taz and maintains that the ten-*amah* maximum refers to the width of the *movui* entrance, not the length of the *korah*. The Mishna teaches that a *korah* cannot effectively seal a *movui* whose entrance is wider than ten *amos*. He argues that if the width of a *movui* is less than ten *amos* (e.g., HI in *Movui* B is only 9 *amos*), then, even if the *korah* is placed diagonally across the inside of the *movui* and is more than ten *amos* long, it is still valid.⁵³

דף ט:

לחי הנראה מבפנים ושוה מבחוץ

The *halacah* follows the opinion of R' Chiya that a *lechi* is valid even if it is visible from only the outside of the *movui* and not from the inside. For example, the *lechi* is placed at the end of one of the *movui* walls where it is visible only to people in the street (as in diagram A and B), instead



of having it placed in the opening of the *movui* where it blocks part of the entrance and is visible to everyone (as in diagram C).⁵⁴



The Rambam rules in accordance with Rav Yehuda (below on 12b) who differentiates between the function of a *lechi* and that of a *korah*. Whereas a *korah* functions as a היכר (symbol to distinguish the *movui* from the

reshus horabbim) and is merely a rabbinically-recognized device, a *lechi* functions in the capacity of a מחיצה (wall or partition) and is considered as a *mechitzah min haTorah*.

An apparent difficulty: The Gemara in Succah 19a indicates that a *lechi* can function as a *mechitzah* only if it is placed within the entranceway of the area that it is meant to enclose and is noticeable from the inside. However, if the *lechi* is only visible from the outside, it is not considered a *mechitzah min haTorah*. Consequently, it is difficult to understand why R' Chiya validates a *lechi* which is not positioned in the opening of the *movui* and which is visible only from outside the *movui*.

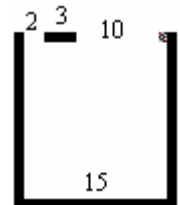
The Toras Raphael⁵⁵ explains that a *lechi* has a dual function. When unable to function as a *mechitzah*, it functions as a היכר instead (just as a *korah* functions as a היכר). Therefore, if a *lechi* is placed off to the side of a *movui*, it is still valid because it functions in the capacity of a היכר.⁵⁶

The Chazon Ish⁵⁷ maintains that the side-posts of a *tzuras hapesach* must be positioned in the opening of one's yard so that they are visible from the inside. The Kehillos Yaakov⁵⁸ explains that since a *tzuras hapesach* functions as a *mechitzah min haTorah*, not as a היכר, it must be placed inside the opening because the Gemara in Succah (cited above) indicates that a *lechi* or *tzuras hapesach* can only function as a *mechitzah* when it is positioned in the entranceway (see also Rosh in Succah *ibid.*⁵⁹).⁶⁰

דף י:

מבוי שהוא רחב ט"ו אמה מרחיק ב' אמות ועושה פס שלש

As mentioned above on דף ב, a *lechi* or *korah* is effective only for a *movui* whose entranceway is no more than ten *amos* wide. Rav Yehuda offers the following suggestion for rectifying a *movui* that is fifteen *amos* wide. The doorway should be narrowed by placing a three-*amah*-wide board (in the entranceway) at a distance of two *amos* from the *movui* wall (see diagram).



Based on the principle of עומד מרובה על הפרוץ, the first five *amos* of the opening are considered sealed by the board. [The principle עומד מרובה על הפרוץ teaches that a wall with breaches is considered whole - as long as the gaps in the wall are not larger than the standing part of the wall.]

Since the three-*amah*-wide board is larger than the two-*amah*-wide gap next to it, the entire five-*amah* area is considered closed and the remaining ten-*amah* opening can be rectified with a *lechi* or *korah*.

Tosfos (ד"ה ועושה פס) cites Rava who submits on 14b that a *lechi* must be placed within three *tefachim* of the wall of the *movui*. [Technically, the *lechi* must be placed flush against the *movui* wall. However, a space of less than three *tefachim* is permitted based on the rule of לבוד which states that a space of less than three *tefachim* is considered sealed.] Based on this, Tosfos maintains that the three-*amah* board (which serves to close the five-*amah* gap) cannot function as a *lechi* because it is more than three *tefachim* from the *movui* wall. Rather, another board (or pole) must be positioned in the *movui*'s entrance to serve as a *lechi*.⁶¹

Rabbeinu Yehonason⁶² indicates that Rava only requires a *lechi* within three *tefachim* of the *movui* wall if it is a narrow *lechi*. However, if the *lechi* is wider than the space between it and the wall, the space is considered sealed (based on the rule of עומד מרובה על הפרוץ as explained above) and the *lechi* is valid because it is viewed as though it is flush against the wall of the *movui*.

The T'vuos Shor⁶³ notes a contradiction: R' Yehonason here states, as does Tosfos, that the three-*amah* board cannot function as the *lechi*, but rather the *movui* requires another *lechi*. The T'vuos Shor asks since the board is three *amos* wide and the space is only two *amos* wide, according to R' Yehonason it should be considered as though the board is positioned flush against the *movui* wall. Why, then, does Rabbeinu Yehonason require another *lechi*?

The Keren Orah suggests that the reason the three-*amah* board cannot serve as a *lechi* is not

only because it is more than three *tefachim* from the wall (as Tosfos says) but also because the Gemara above on 5b states that maximum length of a *lechi* is four *amos*. Rav Huna says that a *lechi* wider than four *amos* is not valid because it appears as a wall of the *movui* rather than a *lechi*. Since the three-*amah* board discussed by our Gemara functions to close a five-*amah* gap, it is considered as though it is five *amos* wide. Therefore, even according to Rabbeinu Yehonason who views the board as though it is flush against the *movui* wall, another *lechi* is required because a five-*amah* board is not a valid *lechi*.⁶⁴

Alternatively, R' Akiva Eiger⁶⁵ explains that R' Yehonason holds that a board cannot simultaneously serve dual functions. Since the board is needed to narrow the fifteen-*amah* entrance, it cannot simultaneously function as a *lechi* as well.⁶⁶

דף יא.

מבוי שהוא גבוה מעשרים אמה
אם יש לה צורת הפתח אין צריך למעט

- The Mishna on 2a states that a *korah* is not effective if it is placed more than twenty *amos* above the entryway of the *movui*.

The Gemara (11a) inquires whether a *tzuras hapesach* is valid if the horizontal bar is higher than twenty *amos*. In resolution of this question the Gemara cites a braysoh which states explicitly that a *tzuras hapesach* is valid even if it is higher than twenty *amos*. [Thus, if one places two side-posts below a twenty-one-*amah*-high *korah*, forming a *tzuras hapesach*, the *korah* need not be lowered.]

Tosfos (ד"ה איפכא) reasons that a *lechi* is certainly valid regardless of its height (or the height of the entranceway of the *movui*) because a *lechi* is a vertical side-post and the added height should not effect its validity. Consequently, Tosfos finds difficulty with the Gemara's query regarding the efficacy of a high *tzuras hapesach* in the entrance of a *movui*. Since a *tzuras hapesach* consists of two side-posts, the side-posts can function as a *lechi* for

the *movui* - even if a very high *tzuras hapesach* is not valid. Why, then, does the Gemara question the efficacy of a high *tzuras hapesach* placed at the entrance of a *movui*?

In answer to this question, Tosfos explains that there are certain situations in which a mere *lechi* does not suffice and a *tzuras hapesach* is required. For example, if the entrance to the *movui* is more than ten *amos* wide (see Mishna 2a), or if the *movui* is מפולש (a through-street which is open on two sides, Gemara 6b). The Gemara's question about the efficacy of a high *tzuras hapesach* is relevant with respect to such cases in which a *lechi* alone is not sufficient.⁶⁷

Alternatively, Rabbeinu Peretz answers that the Gemara is referring to a case in which the side-posts of the *tzuras hapesach* are placed more than three *tefachim* from the walls of the *movui*. As mentioned above, Rava states on 14b that a *lechi* is not effective unless it is positioned within three *tefachim* of the wall of the *movui*. It was with regard to such a case that the Gemara questioned whether a high *tzuras hapesach* is valid since the side-posts in this case cannot function in the capacity of a *lechi*, but only as a *tzuras hapesach*.

The T'vuos Shor⁶⁸ adduces proof from the fact that Tosfos did not offer Rabbeinu Peretz's solution that Tosfos is of the opinion that Rava's *halacah* (limiting the distance of a *lechi* from the wall) does not only apply to a *lechi* of a *movui* but also to the side-posts of a *tzuras hapesach*. Thus, he rules that when erecting a *tzuras hapesach*, the side-posts should not be placed more than three *tefachim* from a wall.⁶⁹

דף יב בענין צורת הפתח

The Mishna on 2a states that a *tzuras hapesach* is valid even for a *movui* entrance that is wider than ten *amos* (even though a *lechi* and *korah* are not). Rav (Gemara 11a) has a different version of the Mishna which reads that a *tzuras hapesach* is not valid for an opening wider than ten *amos*.

Rav Yosef (ibid.) deduces from Rav's *halacah* that just as a *tzuras hapesach* is not effective for a doorway that is wider than ten

amos, so too, it is not effective along a wall that is פרוץ מרובה על העומד (if more than 50% of the wall is breached). According to Rav Yosef, a *tzuras hapesach* is effective only if; (a) it does not have any ten-*amah*-wide openings, and (b) the sum total of all the openings is not greater than the sum total of the wall segments (עומד מרובה על הפרוץ).

The Rosh⁷⁰ does not rule in accordance with Rav Yosef because R' Yosef's *halacah* is based on Rav (who holds that a *tzuras hapesach* cannot close a breach wider than ten *amos*) and the *halacah* does not follow Rav. The Rosh rules that even if one places four poles at four corners of his yard and draws a vertical string from one pole to the other, it is a valid *tzuras hapesach* even though the poles are more than ten *amos* apart and each side is obviously פרוץ מרובה על העומד (more than 50% open).⁷¹

The Rambam,⁷² however, rules stringently on this matter. Even though he agrees that the *halacah* does not follow Rav, and a *tzuras hapesach* can effectively close an opening wider than ten *amos*, he rules that a *tzuras hapesach* is valid only if הפרוץ על העומד - the gaps in the wall are not greater than the standing part of the wall (as R' Yosef says).

The Maggid Mishna explains that the condition of עומד מרובה על הפרוץ is essential (according to the Rambam) only when the *tzuras hapesach* is enclosing an entirely open area (i.e., an area without walls or an area which has a wall only on one side). However, if two sides of the area are enclosed by walls and the *tzuras hapesach* is needed only to enclose the other two sides, then the *tzuras hapesach* is valid even if those two sides are lacking the condition of עומד מרובה, meaning, those two sides are mostly or entirely open. Also, the *tzuras hapesach* [which is needed only for one or two sides] is valid even if the posts are positioned more than ten *amos* apart.⁷³

The Maggid Mishna furthermore suggests that the Rambam requires the condition of עומד מרובה על הפרוץ (when enclosing three or four sides) only when the gaps between the posts of

the *tzuras hapesach* are wider than ten *amos*. However, if the posts of the *tzuras hapesach* are placed within ten *amos* of each other, the *tzuras hapesach* is valid even the sides are פרוץ מרובה - על העומד^{74 75} - mostly open.

**דף יג:
נוח לו לאדם שלא נברא**

The Gemara relates that after a lengthy debate Bais Shammai and Beis Hillel agreed that נוח לו לאדם שלא נברא - it would have been better for a person not to have been created. However, now that he has been created יפשט במעשיו - he should examine his deeds [to ensure that he is free of sin].

The Maharsha⁷⁶ explains this enigmatic Gemara as follows: A person living on this world, on the one hand, has the opportunity to perform *mitzvos*, but on the other hand must contend with the desire to commit sins. Whereas as unborn person, although devoid of *mitzvos*, is at least ensured that he will be free of sin. The rabbis concluded that since there is a total of 365 negative commandments in the Torah (i.e., sins to avoid) and there are only 248 positive commandments (i.e., *mitzvos* to fulfill), it is more risky to be born than not to be born, because the opportunities to sin outnumber the opportunities to perform *mitzvos*.⁷⁷

The Chanukas HaTorah,⁷⁸ in keeping with the Maharsha's interpretation, explains the Gemara's concluding statement, i.e., "Now that a person has been created יפשט במעשיו - he should contemplate his deeds." The Gemara is advising a person to perform *mitzvos* with the proper contemplation and forethought because he then will be rewarded double for every *mitzvah*. Since as a rule, מחשבה טובה הקב"ה - מצרפה למעשה - a good thought is counted as a deed - a person who performs *mitzvos* with the proper מחשבה (intent and forethought) will be rewarded for his thoughts as well for his deeds. In this way a person can overcome the odds against him, since he now will have more opportunity for *mitzvos* and reward (2 x 248 *mitzvos* = 496) than for sin and punishment (365).^{79 80}

Alternatively, the Vilna Gaon⁸¹ explains that the Gemara is not referring to a person's first life, but rather to a *gilgul*. A *gilgul* is a *neshama* that is reincarnated in another body in order to rectify its shortcomings from its previous life. [The Ari z"l teaches that the majority of *neshamos* today are *gilgulim*.] The sages concluded that despite the fact that a *neshama* that descends a second time has the opportunity to perform added *mitzvos*, it is better for a person to achieve perfection during his first sojourn on earth and not have to be reincarnated as a *gilgul*.

The Gemara continues: Now that a *neshama* has descended a second time (in the form of a *gilgul*) one should endeavor to rectify its failings from the previous life. The Vilna Gaon explains that a person can detect what his failings were in his previous life by the following two indicators. (a) יפשט במעשיו - He should examine his deeds and determine which are the sins that he repeatedly stumbles upon. (b) ימשמש במעשיו - He should study his inclinations and proclivities. If one has a special desire to commit particular sins it is an indication that he repeatedly committed that sin in a previous life and his *neshama* was sent down to this world a second time in order to rectify that failing.⁸²

**דף יד:
הפליג לחי מן הכותל ג' טפחים**

1] Rava says that a *lechi* is not valid if it is placed at a distance of three *tefachim* (or more) from the wall of the *movui*. Rava is of the opinion that a *lechi* must be placed flush against the *movui* wall. However, he permits a space of less than three *tefachim* based on the rule of לברד which states that a space of less than three *tefachim* is considered sealed.

Rabbeinu Yehonason⁸³ (cited above on י דף) is of the opinion that Rava's *halacah* applies only to a narrow *lechi*. However, if the *lechi* is wider than the space between it and the wall, the space is considered sealed - based on the rule of עומד מרובה על הפרוץ, explained above on י דף. The *lechi* is valid in such a case because it is viewed

as though it is flush against the wall of the *movui*.

The Magen Avraham⁸⁴ points out that Rabbeinu Yehonason's leniency is not universally accepted by all Rishonim. He cites Tosfos above on 10b (cited in Al Hadaf ibid.) who says that a *lechi* that is placed three *tefachim* from the *movui* wall is invalid even if the *lechi* is three amos wide (see ibid.). Evidently, Tosfos is of the opinion that regardless of the width of the *lechi*, it must be placed within three *tefachim* of the *movui* wall.

The T'vuos Shor⁸⁵ explains that the reason Rava invalidates a *lechi* that is three *tefachim* from the wall is because it constitutes a מחיצה - a partition through which goats can pass - and such a *mechitzah* is invalid (see Gemara).⁸⁶ Therefore, regardless of the width of the *lechi*, if the gap is three *tefachim* or more, it is invalid since the goats can pass through.⁸⁷

2] Rabbeinu Peretz (cited above on יא דף) distinguishes between an ordinary *lechi* and a side-post of a *tzuras hapesach*. He is of the opinion that the side-post of a *tzuras hapesach* is valid even if positioned more than three *tefachim* from the wall because a *tzuras hapesach* is viewed as a bona fide wall.⁸⁸

The T'vuos Shor, however, maintains that even the side-posts of a *tzuras hapesach* must be placed within three *tefachim* of the side wall. He argues that since Rava's *halacah* is based on the principle of גדיים בוקעים בו (as above), a gap of three *tefachim* (between the wall and the post of the *tzuras hapesach*) invalidates the *tzuras hapesach* despite the fact that a doorway formed by a *tzuras hapesach* is considered a bona fide *mechitzah*.

דף טו. לחי העומד מאליו

Rava asserts that a *lechi* is not effective unless it was originally erected for the purpose of serving as a *lechi* to rectify the *movui*. However, a לחי העומד מאליו - a post that happened to be standing near a *movui* - such as a tree that incidentally sprouted at the entrance

of a *movui*, is not valid. The Gemara explains that Rava invalidates a לחי העומד מאליו because he holds that a *lechi* is supposed to function as a היכר (symbol differentiating a *movui* from a *reshus horabbim*, see above ו' דף ג' ו'). Such a *lechi* lacks the aspect of היכר because people do not pay much attention to a tree that incidentally sprouted in the entranceway of the *movui* or to a post which was not placed there for any special reason.

The *halacah* follows Abaya who disagrees with Rava and validates a לחי העומד מאליו because he holds that a *lechi* need not function as a היכר, but rather it is viewed as a מחיצה - wall or partition.⁸⁹

The Gemara qualifies Abaya's leniency. A סמכו עליו לחי העומד מאליו is valid only if סמכו עליו - if it was counted on from before Shabbos. Rava would consider a tree (that happened to be in the entrance of the *movui*) a valid *lechi* only if the members of the *movui* realized before Shabbos that they needed the tree to function as a *lechi*. However, if prior to Shabbos they were unaware of the tree, or of the fact that they needed it for a *lechi*, then they may not carry in the *movui*.

R' Akiva Eiger⁹⁰ explains that the provision of סמכו עליו מאתמול is necessary to provide a degree of היכר. Although Rava is of the opinion לחי משום מחיצה, he agrees that a *lechi* must provide a minimal היכר as well (as Tosfos states on 5b). Even if a *lechi* was not deliberately placed in the entrance of the *movui*, if the members of the *movui* decide before Shabbos to consider it a *lechi* it generates publicity and provides a measure of היכר.⁹¹

The Rosh⁹² writes that the condition of סמכו עליו is required only with regard to a *lechi*, but an ordinary מחיצה is valid even if it wasn't counted on before Shabbos.

The Mishna Berurah⁹³ indicates that the condition of סמכו עליו מאתמול is required with regard to a *tzuras hapesach* that was עומד מאליו - formed by chance.

The Pri Megadim⁹⁴ discusses a case of a city that had a *tzuras hapesach*, but its citizens, not

wanting to rely on the *tzuras hapesach*, would refrain from carrying on Shabbos. If suddenly, one Shabbos the people wanted to carry, the Pri Megadim says that it may be prohibited since the condition of *סמכו עליו מאתמול* is lacking, inasmuch as they did not count on using the *tzuras hapesach* before Shabbos.

The Gaon Yaakov postulates that the condition of *סמכו עליו מאתמול* is required only with regard to a *העומד מאלי לחי*. However, if a pole was initially erected for the purpose of serving as a *lechi*, even if subsequently it fell into disuse for a period of time (e.g., another *lechi* was used instead), it nevertheless retains its status as a valid *lechi*. Thus, he rules regarding such a case that if the new *lechi* falls down on Shabbos, the members of the *movui* are still permitted to carry based on the fact the original *lechi* is still standing, even though the condition of *סמכו עליו מאתמול* is lacking.⁹⁵

The Mishna Berurah,⁹⁶ addressing the Pri Megadim's question, argues that if the *tzuras hapesach* was initially erected for the purpose of permitting carrying, the condition of *סמכו עליו מאתמול* is not required - just as the Gaon Yaakov says with regard to a *lechi*. Therefore, he says that the *tzuras hapesach* always retains its validity even if the members of the *movui* or city stopped relying on it for a period of time.

דף טז:

מקיפין ג' חבלים זה למעלה מזה

The Mishna says that a group of travellers who set up camp for Shabbos and wish to carry there can enclose their camp with a series of horizontal ropes, or vertical posts, placed within three *tefachim* of each other. Based on the principle of *לבוד*, the gaps between the posts are considered closed since they are smaller than three *tefachim*.

The *halacah* that emerges from this Mishna (as explained by the Gemara and Rashi) is that a *mechitzah* that does not consist of **both** vertical **and** horizontal posts is considered a *מחיצה גרועה* - inferior *mechitzah* - and has certain limitations. Although the Chachamim in the Mishna validate a *mechitzah* made from only vertical posts (or from only horizontal ropes),

its efficacy is limited.⁹⁷ The *halacah* limits the size of the area that an inferior *mechitzah* can enclose, depending on the number of people residing there. If only one or two people are in the camp, the maximum area that a *מחיצה גרועה* can effectively enclose is 5,000 square *amos* (*בית סאתיים*).⁹⁸ If there are three or more people, the *מחיצה גרועה* may be used to enclose as large an area as required for their needs. However, if an inferior *mechitzah* encloses an added *בית סאתים* of unnecessary space, the *mechitzah* is not valid and carrying within that *mechitzah* is not permitted.

The Ritva⁹⁹ says that any fence that has openings (e.g., doorways) is considered a *מחיצה גרועה* and may not be used for a large area containing a vacant *בית סאתים* - even if the fence is *עומד מרובה על הפרוץ* (more than 50% solid). [The Tosfos Shabbos¹⁰⁰ suggests that if three sides have solid walls, then the fourth side may be enclosed by an inferior fence (since an area enclosed on three sides is a *reshus hayachid min haTorah*).¹⁰¹]

The Sefas Emes notes that almost all fences have some gaps and they are nevertheless used to enclose large areas (which invariably include a vacant *בית סאתים*). Thus, he submits, contrary to the Ritva, that a fence that is *עומד מרובה על הפרוץ* (more than 50% solid) is considered a superior wall even if it has some gaps, and it functions as a *mechitzah* without limitations.

Alternatively, the Sefas Emes suggests that if the slats of the fence are at least four *tefachim* wide, the Ritva agrees that it is classified as a superior *mechitzah* even though there are door-openings or even if there are no horizontal ropes or slats at all.¹⁰²

The Pri Megadim¹⁰³ suggests that a fence consisting of vertical posts with a single horizontal bar across the top is considered a superior fence since it contains both vertical and horizontal posts.

The Chazon Ish¹⁰⁴ disagrees and maintains that a single horizontal post is not significant. He maintains that in order for a fence made of narrow vertical posts to be classified as a

superior *mechitzah* it must have a series of horizontal bars placed within three *tefachim* of each other (so that they form a solid partition based on the rule of *lavud*).

דף יז:

לוקין על עירובי תחומין דבר תורה

- There is a rabbinic prohibition (enacted by Shlomo Hamelech, Gemara 21b) against carrying from one *reshus hayachid* (private domain) to another - unless the two domains are merged together by means of an *eruv*. This type of *eruv*, called עירובי חצרות, is made by having all members of the *chatzeir* (courtyard) contribute bread and placing it in one of the homes in the *chatzeir* in order to symbolize a merging of the domains as it were.
- There is another type of *eruv*, called עירובי תחומין, which is a device that permits one to travel out of the תחום שבת - Shabbos boundary. The Shabbos boundary is one מיל, which is two thousand *amos* (approx. 2/3 mile), from one's Shabbos place of residence, beyond which one is prohibited from walking on Shabbos. [People residing in a city may walk 2,000 *amos* from the edge of the city.] However, if before Shabbos one places a certain measure of food at a location within 2,000 *amos* of his place of residence, the location of the *eruv* is viewed as his legal place of residence for Shabbos, and he is permitted to walk 2,000 *amos* past the site of his *eruv*.

The Mishna on 17a states that the sages relaxed certain rabbinic *issurim* for soldiers in an army camp, one of which is the law of *eruv*.

D'bei R' Yanai (17b) assert that the sages only suspended the laws of חצרות עירובי for this involves only a rabbinic prohibition. However, they did not waive the law of תחומין עירובי because the *issur* of *techumin* (walking past the Shabbos boundary) is a biblical *issur* that is derived from the posuk (Sh'mos 16:29) אל יצא איש ממקומו ביום השביעי - a man shall not go out of his place on Shabbos. Indeed, R' Chiya teaches that one who violates the law of *eruvei techumin* is subject to malkus (lashes), which is a penalty meted out only for the violation of biblical prohibitions.

The Rishonim¹⁰⁵ point out that R' Chiya and d'bei R' Yanai seem to follow the opinion of R' Akiva (Sotah 27b) who contends that the *issur* to walk more than 2,000 *amos* from one's place of residence is an *issur min haTorah*. Since the *halacah* follows the Chachamim¹⁰⁶ who disagree with R' Akiva and maintain that the *issur* of תחום שבת is only *miderabbanan*, many Rishonim are of the opinion that there are no grounds to distinguish between עירובי חצרות and עירובי תחומין. Just as the sages suspended the rabbinic obligation to make עירובי חצרות for soldiers in an army camp, so too, they waived the rabbinic law of עירובי תחומין for soldiers.¹⁰⁷

The Rif cites the Yerushalmi which holds that even though the 2,000-*amah* (= 1 mil) boundary is only of rabbinic origin, there is another, farther, boundary of 12 *mil* (=24,000 *amos*) which is *min haTorah*. The Yerushalmi asserts that traveling more than 12 *mil*, which was the breadth of b'nai Yisrael's camp in the midbar, is an *issur min haTorah*. [Indeed, the Rambam¹⁰⁸ adopts this view and rules that although the obligation to remain within a 2,000-*amah* radius on Shabbos is only *miderabbanan*, the obligation to remain within a 12-*mil* radius is *min haTorah*.¹⁰⁹]

The Rif concludes, however, that the Yerushalmi is not related to d'bei R' Yanai's assertion. D'bei R' Yanai do not merely say that soldiers may not walk out of the *techum* Shabbos, which conceivably could have referred to the 12-*mil* biblical boundary. Rather they say that soldiers are obligated to make an *eruv techumin*. Now, the device of *eruvei techumin* is found only in connection with the 2,000-*amah* boundary, not the biblical 12-*mil* boundary.¹¹⁰ Hence we are compelled to say that d'bei R' Yanai's assertion is based on R' Akiva's position that even the 2,000-*amah* boundary is *min haTorah*. [And since the *halacah* does not follow R' Akiva, neither does it follow d'bei R' Yanai.]

The Ravad,¹¹¹ while agreeing that the 2,000-*amah techum* is only *miderabbanan*, rules

in accordance with d'bei R' Yanai - that the sages did not suspend the laws of *eruvei techumin* for soldiers. The Ravad explains that since the 12-mil boundary is *min haTorah* (as the Yerushalmi says) the *issur* of *techum* in general (even with respect to the rabbinic 2,000-*amah* boundary) is treated more stringently than *eruvei chatzeiros* (because יש לו עיקר מן התורה - the concept of *techum* is biblically rooted).¹¹²

• The Ramban maintains that the Yerushalmi's 12-mil biblical *techum* is not found in the Talmud Bavli and accordingly he does not credit it with any halachic force since the *halacah* follows the Talmud Bavli (cf., Tosfos in Chagigah 17b ד"ה דכתיב).¹¹³

דף יח. בענין פסי ביראות

It is prohibited to draw water on Shabbos from a [ten *tefach*-deep] well that is situated in a *reshus horabbim* because such an act constitutes carrying from a *reshus hayachid* (i.e., the well) to a *reshus horabbim*. For the sake of the עולי רגלים - travelers going to Yerushalaim for the festivals - who would often need to draw water from public wells for their animals, the sages were lenient and instituted a relatively simple method for enclosing the public wells.

The Mishna (17b) states that one can render the area surrounding the public well as a *reshus hayachid* (in order to permit drawing water from the well) by erecting four $\begin{matrix} 1 \\ \lrcorner \end{matrix}$ 13.3 $\begin{matrix} \lrcorner \\ 1 \end{matrix}$ דיומדין (corner boards, one *amah* by one *amah*) at the four corners of the area around the well (with a maximum distance of $13\frac{1}{3}$ $\begin{matrix} \lrcorner \\ \blacksquare \\ \lrcorner \end{matrix}$ *amos* between the boards, see diagram). The Gemara (end of 20b) states that drawing water from a well within this type of rudimentary enclosure (called פסי ביראות) was permitted by the sages only for the sake of feeding the animals of עולי רגלים. Under ordinary circumstances a well located in a *reshus horabbim* would have to be enclosed (on at least three sides) by standard *mechitzos* - partitions - which are עומד מרובה על הפרוץ (more than 50% closed).

Tosfos cites the Gemara above on 15b which states that Moshe was taught by Hashem at Mount Sinai that a legal *mechitzah* cannot consist of פרוץ מרובה על העומד - more open space than wall segments - thus indicating that the עומד מרובה על הפרוץ is a biblical requirement. Consequently, Tosfos questions the sages' authority to permit the עולי רגלים to carry within פסי ביראות since such type of enclosures are פרוץ מרובה על העומד (more than 50% open).

Tosfos answers that the Torah required that a *mechitzah* consist of עומד מרובה על הפרוץ only if (a) the area that it encloses has only three *mechitzos* or (b) if the *mechitzah* is breached at, or near, its corners.¹¹⁴ Since פסי ביראות consists of one-*amah* corner boards on all four sides, the rule of עומד מרובה על הפרוץ does not apply (*min haTorah*).¹¹⁵

Alternatively, the Ravad¹¹⁶ suggests that the rule of עומד מרובה על הפרוץ is only of rabbinic origin. He submits that Hashem revealed to Moshe Rabbeinu at Sinai all the future enactments and decrees that the sages throughout the generations would eventually legislate. When the Gemara on 15b states that Hashem told Moshe the law of עומד מרובה, it means that Moshe was informed of the sages' future enactment, but Hashem did not introduce that *halacah* to Moshe at that time in the context of a biblical law.

The Sefas Emes suggests that Moshe was taught at Sinai that a *mechitzah* which is more than 50% breached lacks the legal status of a *mechitzah* and hence the area enclosed by the פסי ביראות does not have the status of a *reshus hayachid min haTorah* (which by definition must be enclosed by at least three *mechitzos*). Perhaps, however, the פסי ביראות are sufficient to remove the *reshus horabbim* status from the area and give it the status of a כרמלית. [A *karmelis* is an area which is neither a *reshus hayachid*, because it lacks proper *mechitzos*, nor a *reshus horabbim* because it is not defined as a public thoroughfare.] Thus, suggests the Sefas Emes, perhaps an area enclosed by פסי ביראות is classified as a *karmelis* and the sages therefore

had the authority to permit the עולי רגלים to draw water in such an area [because carrying within a *karmelis* (and to a *karmelis*) is only rabbinically prohibited].¹¹⁷

דף יט:

ר' יהודה אומר כי"ג אמה וכי"ד אמה

R' Yehuda (Mishna 17b) states that the maximum open space allowed between the corner posts of פסי ביראות is the width of two four-cow teams (see Mishna).

The Gemara (bottom 19a, top 19b) determines that the width of an average cow is $1 \frac{2}{3}$ *amos* and thus the space allowed by R' Yehuda is $13 \frac{1}{3}$ *amos*.

The Mishna on 15b states that a wall with a gap of more than ten *amos* is not a valid *mechitzah* (even if the wall is עומד מרובה על הפרוץ).¹¹⁸ The Tosfos Horosh comments that apparently the ten-*amah* limit is only a rabbinic law and the sages therefore were empowered to suspend that law for the sake of the עולי רגלים and they were able to permit a wider gap.

The *Mishkanos Yaakov*¹¹⁹ asserts that a partition which has a gap greater than $13 \frac{1}{3}$ *amos* (which is more than the maximum allowed even for the sake of עולי רגלים) is certainly an invalid *mechitzah min haTorah*. Accordingly, if one carries an object from a *reshus horabbim* to an area which is enclosed by four דיומדין (corner boards) spaced more than $13 \frac{1}{3}$ *amos* apart, he is not subject to a chattos because such an area does not have the status of a *reshus hayachid* (since it is enclosed by an invalid *mechitzah*).¹²⁰

Rabbeinu Yehonason, however, indicates that even a gap exceeding $13 \frac{1}{3}$ *amos* is only a rabbinic invalidation. He explains that the Mishna described the maximum gap permitted for פסי ביראות in terms of teams of cows not merely because the Tanna lived in an agricultural society where distance was measured by cows. Rather, the rabbis determined that it was necessary to leave a gap large enough for one four-cow team to enter the well area while another team was exiting without knocking over the posts - because such a scenario was a typical occurrence at the well area.¹²¹ Thus, R' Yehonason indicates that the

reason the Mishna sets the maximum gap allowed at $13 \frac{1}{3}$ *amos* is not because that is the maximum allowed by the Torah, but rather because that is what the sages determined as necessary for the עולי רגלים. This indicates that *min haTorah* even a gap wider than $13 \frac{1}{3}$ *amos* does not invalidate a *mechitzah*. Indeed, the Ritva writes that *min haTorah* any area enclosed by one-*amah* corner boards is considered a *reshus hayachid* - regardless of how much space there is between the boards.¹²²

The Chazon Ish¹²³ draws a distinction between a gap that is larger than the standing portion of the wall (פרוץ מרובה על העומד) and one that is smaller (עומד מרובה על הפרוץ). He says that if, for example, the standing part of a wall is fifteen *amos* wide, then a fourteen-*amah* gap will not invalidate the *mechitzah min haTorah* (if there are one-*amah* corner boards) - even though the gap is larger than $13 \frac{1}{3}$ *amos* (since the wall is עומד מרובה על הפרוץ). However, if the standing part of a wall is only $13 \frac{1}{3}$ *amos* or less (as in the case of פסי ביראות), then a gap of more than $13 \frac{1}{3}$ *amos* might invalidate the *mechitzah min haTorah*, even though there are one-*amah* corner boards.

דף כ.

לא צריכה אע"ג דקא בקעי בה רבים

R' Elazar asserts that if one carries from a *reshus horabbim* to the area enclosed by פסי ביראות he is חייב (obligated to bring a chattos) because פסי ביראות create a *reshus hayachid min haTorah*. Moreover, even if there is a public [road] passing through the area it still retains its status of a *reshus hayachid*. The Gemara cites others who are of the opinion that if there is a public road passing through the פסי ביראות it is not classified as a *reshus hayachid* because אתי רבים ומבטלי מחיצות - a public [road] passing through a *mechitzah* nullifies the *mechitzah* - and the area is viewed as though it lacks *mechitzos*.

This dispute has a practical halachic ramification with respect to a *tzuras hapesach (eruv)*. According to the view that אתי רבים

32) ז"ל הבית הבחירה כאן (ד"ה כבר ביארנו) - להוציא מדעת האומרים דאן נעילת דלתות ובעלת אלא לזמן נעילתן (ע"ש בהגהה 222 שכי' זוהו דעת רבנו אפרים המובא בהשלמה) וע"ש במאירי מה שהקי' עליו מגמ' לקמן דף קא, ונשיטה זו נזכר גם בחי' המאירי כאן סוף דף ו'.

33) ועוד מחדש ר' אפרים דאפי' בזמן נעילת הדלתות לא הוי רה"י גמורה אלא דידנו ככרמלית ועדין אסור לטלטל בו מדרבנן אלא שאין חיובין עליו (ע"ש בבית הבחירה ד"ה יש למצקת גאונים וע' בחי' המאירי ד"ה ויש דעת שלישי לומר והוא דעת ר' אפרים ז"ל וכו').

34) עבודת הקודש שער ב' אות ד' (מבוא במ"מ שם בפ"ז ה"ל), ורש"י דף ו' : ד"ה חיובין מבואר דר"י מצריך נעילת ב' דלתות ע' תוס' ד"ה והאמר.

35) ע' סימן ע"ח שמארזך בראיות.

36) ח"י א"ח סימן קל"ט ענף ג' [כתב שם דלהרמב"ם דס"ל דלא בעינן אלא ראוין לנעול ודאי צ"ל דלא מהני הדלת אלא בצירוף צורת הפתח, ומסיק שם דגם לדעת הרשב"א מסתברא לומר דלא מהני הדלתות בזמן שהן פתוחות אא"כ יש שם צורה"פ].

37) והנה בדברי הרמב"ם חזו"א משמע דלדלתות בלא צורת הפתח לא מהני כלום, וצ"ב למה לא מהני לשו"י כרמלית שהרי תו לא דמי לדלגל מדרב כיון שאינו מסור לרבים בכל עת, וע"ש בחזו"א סוף סק"ה מש"כ בזה (וגם ע' בדברי האג"מ שם), וע' אג"מ שם שמבאר דהא דלא הוזכר דבר זה ברמב"ם ובפוסקים דבעינן גם צורה"פ אי"ל משום דסתם דלתות היה להן משקוף וצורה"פ וכן מציינו בתוס' לקמן כב. ד"ה והא דנקט למילתא דפשיטא דהיי לירושלים צורה"פ, וע' שפת אמת כאן ריש דף ו' דבתחילת דבריו נקט **דלא** בעינן צורה"פ (שלא כחזו"א ואג"מ) ואח"כ הביא ראה להפך, והנה ע' ברבינו יהונתן דף ו' (דף ב' בדפי הר"ף סוד"ה כיצד) דמבואר דירושלים צריך תיקון צורת הפתח אי' דלתותיה ננעלות בלילה - כדעת האג"מ חזו"א.

38) כתב הרמב"ם בפרק י"ז מהל' שבת ה"י דאין צריך לנעול הדלתות בלילה אלא צריך שיהא ראיות להנעול, וע' בחי' הרשב"א כאן ובמ"מ שם שמבארין טעמו, ומבואר דעה זו בשו"ע סימן קס"ד ס"ב בשם י"א [אולם ע' רמב"ם פרק י"ד שם סוף ה"א וכן בפ"א מהל' עירובין סוף ה"א משמע דצריך ננעלות דלתות דוקא, וע' אבני' ח"א א"ח סימן רסה-ג וסימן רסה-ט, וע"ע דברי יחזקאל הכ-ג מש"כ ליטב סתירת הרמב"ם].

39) ז' וצ"ב דה"ה תוס' כאן דף ו' ד"ה כיצד בשם הבה"ג וע' ביאור הלכה סימן שמי"ה ס"ז ד"ה שאין שמצין עוד תכל ראשונים דס"ל כן.

40) ע"ש בתוס' שמבאר דאפי' שבאמת היו הרבה יותר מששים רבוא המדבר עם הגאונים וע' ערב רב י"ל דלא גמרינן אלא מילתא דכתביא בקרא במספרים, וע' שם בלשון המחבר שכתב דלדעה זו בעינן ששים רבוא ועבריים בו **בכל יום** ע"ש במשני' ס"ק כ"ד ובה"ל ושע"ש ע"ש.

41) וצ"ב ברש"י שם ובד"ה אבולי דמדויק דה"ר דאין צריך שיהא מכוון משער לשער, ומשמע דאם רחובות העיר מתעקמים קצת תו לא הוי רה"י, וע' ריטב"א שבת ו'. שמהיא דעת רש"י וכי' דלא לכימו בזה כל המפרשים, וע' משכנ"י סימן קכ"ב שמלפלל בזה אי' בעינן מכוון משער לשער, וע' מג"א סימן שמי"ה ס"ב שכי' דבעינן שהשערים מכוונים משער לשער, וע' אג"מ א"ח סימן ק"מ ובחי"ה סימן כ"ח אות יב-ד.

42) כן מובא בשו"ת בית אפרים בשם ספר "דרך אגדה" שכך שמע מה פני יהושע.

43) ע' רש"י בשבת דף צו' : שכתב מחנה לוי רה"ר היה "משום שהכל מצוין אצל משה" אולי יש לפרש ע"פ דברי פ"י דרש"י לשיטתו דבעינן ס' רבוא ורצה לפרש שהכל הלכו שם לנדוב שקל ולשכן, ע"ש [אמת לעקב"ש שם].

44) ע' ח"י רמב"ן לקמן דף נ"ט, וכן מדויק בהרמב"ם פ"ד מהל' שבת דלא נזכר תנאי של ששים רבוא, וע"ע בה"ל שהביא עוד הרבה ראשונים דס"ל כן.

45) ולהלכה הביא השו"ע בסימן שמי"ה ס"ב י' דעות, וע"ש במשני' ובחי"ל וכן במשני' בסימן שמי"ה ס"ב ובה"ל שם שמסיק בשם אחרונים דכיון דנהגו העולם להקל אין למתוח ביד המקילין מ"מ ראוי לבעל נפש לחוש לדעת המחמירין שלא לטלטל ע"י צורת הפתח לבד.

46) בקונטרס "אום אני חומה" שהדפיס לבאר דעתו שמתור (ומצוה) לעשות עירוב בברוקלין, וכן ע' בשו"ת משנה הלכות ח"ח סימן ק"א סק"ז וח'.

47) תשובת הרמ"פ ז"ל לה"ר מנשה קליין ז"ל נדפס במשנה הלכות שם סימן צ"ד, ובאג"מ א"ח ח"ה סימן כ"ח, ע"ש באות י'.

48) בביאור הסוגיות דאית ברין ומטליל מציאות (ובענין השאלה כללית אלא מותר לעשות עירוב בעיריות גדולות) - באג"מ א"ח ח"ה סימן קל"ח וקל"ט (וגם בתשובה הני"ל), ומסיק דאין לעשות עירוב בברוקלין ומנהאטען שהוא בנוא יארק, וע"ע בארכיות בשו"ת בית אפרים א"ח סימן כ"ו וכי' ובמשכנתו יעקב א"ח סימן קכ-קכב, וע"ע בשו"ת משנת ר' אהרן ח"ה סימן ו' (וע"ש בפתיחה לסימן ו' אות ו-ח שכתב סיכום קצר לדברי הבית אפרים ומשכנ"י).

49) ח' וע' מחצית השקל סימן שמי"ה (ס"ק ל"ב) דאם ירצה להניחו באלכסון ושלט לטלטל אלא בפנים כגד הקצר רשאי כיון שאינו מטלטל אלא במקום המוקף ג' מחציות, וע' פרמ"ג מש"י ס"ק כ"א שחולק עליו וטוען דאפי' אם אינו מטלטל כגד הארוך אין להניח הקורה באלכסון על כותל הארוך משום דאותו חלק הובלט לא מיקרי כותל המבוי וקורה צריך להניחו דוקא על כותל המבוי (ע' תוס' ריש ד"ה מניח, ודו"ק, אולם אולי יש מקום לחלק דהיכא שאין הכותל בולט ד' מודה תוס' דחשוב כמותו על כותל המבוי, ע"ש ביד בנימין) [ובאופן אחר יש להקשות האין מתיר המחצית"ש לטלטל במקום שפרוץ במילואו למקום האסור לו, אולם גם תוס' הני"ל צ"ב למה לא כתב כן, ושוב מצאתי בספר דעת כהן עמ"ס עירובין ס"ז סוף סק"ג שהקי' כן על תוס' ונשאר בצ"ע], וע' בה"ל שם בסעיף ל' ד"ה אינו שהביא פלוגת המחצית"ש וכתב דמסתבר כותליה דהפרמ"ג.

50) כאן סימן ו', וכן קיי"ל בשו"ע סימן שמי"ה ס"ל (וע' ח"י ר"ן לקמן דף יד : ד"ה עשה שמצדד דאולי לא מהני קורה לחצי מבוי, וע"ש בהגה מהמח"ל שהביא מכל הראשונים דנקטו לפשיטתו דמהני קורה לחצי מבוי כמו שמהני לח"ל).

51) שם ס"ק כ"א, והוכיח כן מהא דקאמר רב כהנא דאפי' לדברי המתיר להניח קורה באלכסון צריך שלא יהא באלכסונו יותר מעשר.

52) מובא בשער הציון שם ס"ק קי"ד.

53) ולישב הוכחת הט"ז מהגמ' כתב השעה"צ דצריך לחלק בין פתח המבוי לתוך המבוי (וצ"ב), וע' חזו"א סימן ע"ב ס"ק י"ב מה שהקשה על זה, ודעתו כהט"ז.

54) ח' הכי איתא בגמ' ד' : - הלכתא נראה מבחוץ ושוה מפנים נדון משום לחי וכן קיי"ל ברמב"ם פ"ז הל' כ"ב ושו"ע סימן שמי"ה ס"ט, והנה מציינו במפרשים ג'

אופנים של לחי הנראה מבחוץ (ונקטנו רק אחד מהם), ע' רש"י (ותוס') וע' ר"א"ש סימן י"א ובה"ה הבי"ח שם וק"ר"י וע"ע בב"י ובב"ח בסימן שס"ג.

55) (להג' ר' רפאל שפירא אב"ד ר"מ בורלאוין, חמיו של דגרי"ח סאלאוויצק ז"ל) ח"א סימן ג' סוף ד"ה והנה דעת הר"ף ז"ל דקי"ל (קצת מדבריו נזכר בקהלת יעקב כאן סימן ה' ד"ה ולכא"ו וסימן ו' ד"ה נתבקשת).

56) ואח"כ מדאי' אין נידון כמחיצה והזורק לתוכו פטור (כלי למקום שיש ב' דפנות ולחי שנראה מבחוץ), וע' מש"כ בזה החזו"א סימן ע"ד ס"ק י"ב.

57) כך הביא הקה"ל ריש ס"ו שכן אמר לו החזו"א (וכ"כ החזו"א סימן ע' ס"ק ט"ו וט"ז, מובא שם בקה"ל סוף הסימן) וע"ע במש"כ החזו"א סימן פ"ו סק"ה.

58) סימן ו'.

59) הר"א"ש בסוף סימן ל"ד שם שכי' דאירי דמשיכ צורת הפתח לדופן השלישית ומ"מ לא מהני אם אינו נראין הלחיין מפנים (והביאור הוא דאפי' אם לחי מבחוץ כשר מטעם היכר צורת הפתח מבחוץ פסול כיון שמבחוץ לית ביה תורת מחיצה ולא מציינו שתיקנו צורה"פ משום היכר.

60) וכן החמיר התבואות שור בחזו"ע לעירובין דף יא : (בסוף ספרו על יו"ד) דקניס על צורת הפתח צריכין לסתום חלל הפצחה (מובא בשערי תשובה סימן שס"ג סוף כ"ו), וכן בשו"ת פנים מאירות ח"ב קמ"ג, וכן שו"ת אב"י א"ח סימן פ"ט, וכן מדויק בדברי ר' יהונתן (סוף דף ב' בדפי הר"ף) דצריך עמודי צורה"פ לסתום פתח המבוי קצת, ודיוק זה מובא בב"ח סימן שס"ג (ד"ה ומ"ש אבל אם) וע"ש שדעתו להקל בזה (וע' בקה"ל שם מש"כ בדברי הב"ח) וראיתי בספר תיקון עירובין פ"ב סוף ס"ק נ"ו שהביא בשם שו"ת תשורת ש"י ח"א סימן שט"ז שפסק להקל בזה.

דף י

61) ויש לעיין אי צריך להעמיד הלחי דוקא אצל כותל השני (כמו שצייירתי בצירור בפנים) ולא אצל הפס ג' כיון שהפס רחוק ג' מהכותל כמשי"כ תוס', אולם יתכן דמאחר שמעמיד לחי אחר אז מודה תוס' לחשוב ככותל המבוי ויכול להעמיד הלחי אצל הפס (והא דכתב תוס' דהפס רחוק ג' מכותלי המבוי אין זה אלא כל כמה שרובה שיתמשש בהפס משום לחי, ודו"ק).

62) שהרי כתב ר' יהונתן לקמן על המתני' דף יא : (ריש ג' בדפי הר"ף) דהטעם דבעינן לחי סמוך לכותלי מבוי הוא שלא נימא אתי אירא דהאי גיסא ודהאי גיסא ומבטל ליה.

63) בחזו"ע על המס' (בסוף הספר), נזכר בשו"ת רע"א קמא ס"ח וגם בקה"ל ריש ס"ה (ע"ש שהביא בשם הירושלמי דפס ג' אמות ועוד מועיל גם ללחי).

64) וע' בקה"ל שכוון לתיירי זה וע"ש מה שמלפלל בה.

65) שו"ת קמא סימן י"ח (וע"ע בגאון יעקב כאן שגם הקי' על תוס' מכח הירושלמי).

66) ע' מה שמלפלל בזה הקה"ל [ואולי כיוונת רע"א הוא דכדי לסתום פתח המבוי צריכין לחשוב הפס ג' ככותל המבוי, וזהו שתיירה לדין לחי דלחי צריך להיות כדבר נוסף על המבוי (כמו שמציינו דפס ד' פסול משום לחי, ואפי"ן דכתב רש"י דף ה' דהיכא דסמכו עליו משום לחי כשר היינו משום דדעתו לא הדיא לאפוקי מתורת כותל מבוי, משא"כ הכא א"א להוציא מתורת כותלי מבוי כיון שצריכין לסתום בו הפתח, וכעין זה בבית מאיר ס"י שסי"ג ע"י ע"ש].

דף יא

67) הבית מאיר בסימן שכ"ו סעיף כ"ו (ד"ה ולע"ד, נזכר לעיל בדף ב' בהערה ז') חולק על תוס' ושאר ראשונים (ע' רש"א כאן וברוש פירקין) וס"ל דמוכח במכילתין דלא מהני לחי במבוי שגבוה עשרים והקשה שם האין שייך לאוקים בהרי"תא במבוי מפולש וכדומה הרי הברייתא מבואר דעסקינן במבוי שאפשר לתקנו ע"י קורה (ע"ש שיעמעטו מ"ב), ולבאר כוונת תוס' ע' מש"כ גאון יעקב כאן, ובאופן יותר מרווח ע' בהג' ר' יוסף מוילנא (נדפס בעמוד כט. בסוף הגמ', וכן ע' בהג' ר' יהודה בכרך עמוד 25 בסוף הגמ' ע"ש (וגם בבית מאיר שם מצדד לפרש תוס' כמותם, וע' היטב בדברי שו"ת רע"א ח"ה סימן י"ח בד"ה אבל).

68) בבכור שור (דהיינו חידושים על המסכתא הנדפס בסוף ספר תבואות שור על יו"ד), מובא בשו"ת רע"א ח"ה סימן י"ח) וע' בהג' ר' יהודה בכרך כאן.

69) וכן מדויק בריטב"א דף י' : סוד"ה עושה פס, וכ"כ האור זרוע (מובא בדרכי משה סימן שס"ג מיקל בזה (כרבינו פרץ) וע' משנ"ב סימן שס"ג ס"ק כ"ג ובשערי ציון שהביא פלוגת אחרונים בזה וכי' דלכתחילה נכון להחמיר אבל בשעת הדחק יש לסמוך להקל (וכן מסיק רע"א שם).

דף יב 70) כן מבואר בסימן י"ג כאן וכן דעת ר"י בתוס' כאן ד"ה אילימא (וזהו דעה ראשונה המובא בשו"ע שם סעיף י').

71) אולם מבואר בתוס' ור"א"ש דלא מהני צורה"פ כזה אלא בחצר ומבוי (שיש בו דיוריים) אבל בשירא (או בבקעה) לא מהני צורה"פ אם הוא פרוץ לגמרי, ובביאור החילוק בין מבוי לשירא ע' משנ"ב שם ס"ק נ"ו בשם הלבוש וע"ע באבני' ס"י ש"ט אות י"ב שפי' בע"א (וע"ש במשני' ס"ק נ"ז מה שכי' בשם הטור, וכוונתו צ"ב כמו שהקי' החזו"א סימן ע' סק"ו ע"ש).

72) פט"ז מהל' שבת ה"ט"ז (מובא שם בשו"ע), וע' בה"ל שם ד"ה כשכל שמבאר החזו"א לפי דעת הרמב"ם.

73) הוכיח כן מהא דמבואר לעיל דף ו' : דמבוי מפולש לא בעי אלא לחי מאכא וצורה"פ מאכא, אולם ע' ערוה"ש סימן שס"ב סעיף כ"ט שמפרש לדעת הרמב"ם דהא דסגי בלחי וצורה"פ במבוי מפולש הוא משום דחשבינן כל הדי' הצדדין בהדדי [לקולא] וכיון דבכל ההיקף העומדים מרובים על הפרוצים חשוב כל ההיקף כסתום (ולפי' הערוה"ש צ"ל דלא נותר מבוי מפולש בלחי וצורה"פ א"כ השאר ב' דפנות כמעט שלמים לגמרי בלי שום פירצות, ודוחק. ועוד צ"ב למה בעינן תיקון לחי כשיש ג' דפנות שלמים כיון שחשוב כל ההיקף כסתום, וי"ל), וע"ע ברש"י דף ה' ד"ה ניתרת ובדף טו : ד"ה פרוץ שגי"כ משמע דחשבינן כל ההיקף כולו, וע"ע בחי חזו"א דף יא : שם מפרש בדעת רש"י דגם הפירצות ברוח רביעית מצטרפת בהדי שאר רוחות [לחומר] לשו"י פרוץ מרובה על העומד (אולם לא מבואר ברי"ן אי חשבינן כל ההיקף גם לקולא, ואולי תרתי לטיבותא בעינן), וע' משנ"ב סימן שס"ב ס"ק מ"ה שרואה דנקט לפשיטתו דלא חשבינן כל ההיקף לקולא, ובעינן סוכה ע' מה שהביא המשנ"ב סימן תר"ל ס"ק כ"ב ובה"ל שם וע' חזו"א סימן ע"א סק"א-ה (ובשו"ת חת"ס א"ח ס"י פ"ח משמע דנקט כהערו"ש).

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<p>L/Shana Tova wishes to our friends and family Yosef and Edie Davis, Chicago, IL</p>	<p>L/Shana Tova from Meir Yoel and Susan Laub & family</p>
<p>Best Wishes Norman Freedman, Boston MA</p>	<p>לשנה טובה תכתבו Jeff Goldstein, Elizabeth NJ</p>
<p>MAY YOU BE INSCRIBED FOR A HAPPY, HEALTHY AND PEACEFUL YEAR Isak Boruchin, Fontana CA</p>	<p>from גמר חתימה טובה Rabbi Moshe Bleich, Silver Spring MD</p>

ב	לז"נ פסח משה בן אפרים Sprecher ז"ל - נפטר ד' תשרי תשנ"ו *	ד תשרי	Fri
ג	לזכות רפ"ש להבחור הבר מצוה אליהו שמואל בן חיה בינה בתושח"י	ה תשרי	שבת
ד		ו תשרי	Sun
ה	לזכות רפ"ש לבנימין בן שרה בתוך שאר חולי ישראל (מאת משפחתו)	ז תשרי	Mon
ו		ח תשרי	Tue
ז		ט תשרי	Wed
ח	JACOB WEINBERG * לז"נ יעקב בן יצחק צבי ז"ל * by Fran & Jerry Weinberg	יום כיפור	Thrs
ט	לז"נ איטא ברכה בת הרב אליעזר הלוי ז"ל *	יא תשרי	Fri Oct 14
	לז"נ ר' נחמן ב"ר אלחנן שמחה Krasner ז"ל *		
י		יב תשרי	שבת
יא	לז"נ הרב שמואל פנחס בן הרב יהודה אריה הלוי Heber זצ"ל *	יג תשרי	Sun
יב		יד תשרי	Mon
יג		א סוכות	Tue
יד		ב סוכות	Wed
טו	לז"נ אברהם צבי בן משה ליב ז"ל *	יז תשרי	Thrs
טז		יח תשרי	Fri
יז	לז"נ ר' יונה צבי בן יוחנן (יא"צ יב תשרי) ולז"נ אלכסנדר אפרים ב"ר מאיר ז"ל *	יט תשרי	שבת
יח	לז"נ אמי מורתי הענדיל בת ר' משה Ehrlich ז"ל *	כ תשרי	Sun
יט	לזכר נשמת משה בן אליעזר ז"ל	הושענא רבה	Mon
כ	- In memory of MOLLIE HARARY * לז"נ מזל בת אליהו ז"ל *	שמיני עצרת	Tue Oct 25

* Denotes Yartzeit

!גמר חתימה טובה! , See Rosh Hashana Greetings on page 19
Thank you to all who have contributed to our Rosh Hashana campaign.

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