

OVERVIEW of the Daf

1) Ink

A Baraisa emphasizes that liability for transporting ink is when two letters worth is transported, regardless of where the ink is found.

Rava rules on a case involving transporting ink which leads to a number of rulings by Rava concerning doing only a half-measure of a melacha (חצי שיעור).

2) Combining two acts of transferring

If one transferred half a dried fig and then transferred another half dried fig, if the two acts were performed in one lapse of awareness he is liable and if the acts were performed in two lapses of awareness he is liable. R' Yosi distinguishes between transporting the two half dried figs to one domain, for which he is liable, and transporting the half dried figs to two domains for which he is exempt.

Different opinions are cited as to what constitutes different domains for this halacha.

3) Clarifying the Mishnah

The Gemara clarifies a number of the cases mentioned in the Mishnah.

A discussion concerning substances that women apply to their bodies to enhance their appearance follows the Gemara's clarification of the case of transporting plaster.

4) כלכל ואנדיפי

The terms כלכל ואנדיפי are defined.

5) MISHNAH: The Mishnah enumerates more items and their minimum measure regarding transporting them on Shabbos.

6) Clarifying the Mishnah

The Gemara clarifies a number of the cases mentioned in the Mishnah. ■

REVIEW and Remember

1. Is one liable for transporting a quill that contains enough ink to write one letter?
2. In the time of Chazal, what was caught in glue traps?
3. What happened to the person willing to expound upon Maaseh Merkavah?
4. What is "the most easily cooked of eggs"?

Distinctive INSIGHT

Relativity revisited

אמר רבא הוציא שתי אותיות וכתבן כשהוא מהלך חייב

The Gemara discusses the case where a person carries ink out into the public domain, and he performs a הנחה by inscribing the ink upon a piece of paper. From where, however, did the paper appear? If the paper itself was also carried into the public domain together with the ink, then the person should be liable for transporting the paper itself, regardless of the ink being placed upon it.

The ר"ן notes that one possibility is that it must be referring to a case where the person found the paper in the street after bringing the ink out from his yard. Or, it could be that he brought the paper out into the street, but the size of the paper was too small to be liable.

In order to be חייב, the person has to place the ink down, so that there will be a הנחה. The fact that the Gemara tells us that the person wrote the letters down indicates that there was no placement of the ink other than in their being written. Rashi explains that this is because the person continued walking the entire time. Therefore, although the ink is considered in motion as he walks, once the letters are written down on the paper, the ink is now considered as placed in a stationary position.

The ר"ן asks why this should be different from a case earlier, which was left unresolved on 5b. The case there is if someone places a nut upon an object that is floating upon the water. Is this an הנחה or not? Relative to the object, the nut is stationary. Yet, the object itself is in motion as it floats on the water. The Gemara leaves that question unresolved. Here, too, asks the ר"ן, the ink is on the paper, but the paper is still being carried by the person who is moving. Why is it so clear here that the ink is considered stationary?

The ר"ן answers that the nut is not expected to remain in the floating object forever. It is only there temporarily, and that is why its being "fixed" in the floating object is not necessarily significant. However, the ink being inscribed on the paper in our Gemara is now being placed in its final resting place. This is a stationary and stable condition, and its placement upon the paper is certainly considered a valid form of הנחה. ■

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HALACHAH Highlight

A Sefer Torah written with a metal-tipped pen

A reed, [the measure of size that makes one who carries it in a public domain liable for violating the prohibition of carrying is] enough to make a pen.

Rema¹ cites an opinion that a Sefer Torah must be written with a pen fashioned from a reed, not with a feather quill. Gra² writes that one of the sources upon which this perspective is based is our Gemara, which links the term kulmus, generally used to describe the pen with which a Sefer Torah is written, with reed. Shach³ writes that the custom is not to require that the pen for writing a Sefer Torah be fashioned from a reed.

In a case that came before a Beis Din⁴, a family had contracted a sofer to write a Sefer Torah mehudar on their behalf. However, they now complained of several procedures that the sofer employed that they felt made the Sefer Torah fall short of being mehudar.

Among their complaints was that although the sofer they hired wrote the letters in the traditional manner, the sofer in turn hired another sofer to put in the tagin, and the second sofer used a "rapidograph" (a very fine metal-tipped ink drawing pen) rather than a reed pen or quill to write the tagin. The sofer, for his part, responded that a rapidograph produces nicer and more permanent tagin than a reed pen, and therefore, the use of the rapidograph was a part of what made this a Sefer Torah mehudar.

In the Beis Din's ruling, written by Rabbi Avrohom Dov Levin, they cite Rema⁵, who writes that it is preferable not to write a Get with a metal-tipped pen because it may engrave, rather than write. Pischei Teshuvah⁶ explains that this is because it is possible that the indentation in the parchment made by the metal tip will precede the pen's release of ink. In that case, the indentation is considered the pen's initial writing. Hence, the ink that then fills the indentation is a "writing on top of writing" (כתב ע"ג כתב), which is not valid (neither in the case of a Get, nor in the case of a Sefer Torah).

Therefore, although Taz⁷, concerning a Get, writes that when a

reed or quill pen is not available it is permitted to use a metal-tipped pen, it is certainly preferable not to use such a pen.

Moreover, concerning a Sefer Torah, Aruch HaShulchan⁸ writes that it is preferable not to use a metal-tipped pen. In the first place, it may puncture the parchment (see there for the issue involved). Furthermore, just as the Torah forbids using metal implements to fashion an altar because it is not proper that a substance usually employed to shorten life should be used on a structure that extends life⁹, so too in the case of a Sefer Torah it is not proper to use metal-tipped pens to write it because a substance usually employed to shorten life should not be used to write the work that extends life ("אורח ימים בימינו").

For this and other similar reasons, the Beis Din ruled that the sofer did not fulfill the conditions of the contract and therefore was required to negotiate to compensate for his failure to fulfill his part of the deal. ■

1. רמ"א יורה דעה סימן רע"א סעיף ז': "א שיש לכתוב בקולמוס שלא קנה ולא

בנוצה (מרדכי פ"ק דגטין).

2. ביאור הגר"א שם ס"ק כ"ג.

3. שם ס"ק י"ג בשם עט"ז.

4. פסקי דין - ירושלים דיני ממונות ובירורי יוחסין ח"ז פס"ד בעמוד רס"ג, תביעת מקח טעות בספר תורה שהוזמן בתורת "מהודר" ונכתב שלא בהידור, תיק ממונות מס' 171 - סא.

5. רמ"א אבן העזר סי' קכה סעי' ד': "א דלכתחילה יש להחמיר שלא לכתוב בקולמוס של ברזל שלא יבא לידי חקיקה, עיין בערוה"ש שם סעי' ל"ה עפ"י ב"ש שם (וט"ז ס"ק ג') והגר"א.

6. פת"ש שם ס"ק ה' כתב בשם הלבוש דהקולמוס חוקקת וחופרת הכתב בתוך הקלף שהוא כשר לבדו, והדיו שממלא החקיקה הוא כתב על גבי כתב שהוא פסול. וכע"ז בתו"ק שם ס"ק ג'.

7. עיין בט"ז שם דאם הוא צריך לכתוב בקולמוס של ברזל אין להחמיר כלל. וכ"ה בערוה"ש שם "הדבר פשוט" שבשעת הדחק כשאין קולמוס אחרת אין למנוע הגט בשביל זה, כי אין שום טעם מדינא והיא חומרא בעלמא. וכ"ה לפי ס' קסת סי' ג' סעי' ו' וס' חסידים סי' רפ"ג. ברם עי' ב"ש שם ס"ק ל"ח, קנאת סופרים סי' ע"ט, ומאיר עיני סופרים סי' ד' סעי' ג' א'.

8. ועי' ערוה"ש יו"ד סי' רע"א סעי' ל"ח דאין כדאי לכתוב בנוצת ברזל חדא דנוקב ועוד דהתורה מארכת חיים והברזל מקצר. ועי' ערוה"ש אבה"ע"ש שם סעי' ל"ו דבשום מקום אין כותבין בקולמוס של ברזל. ועי' שו"ת שבט הלוי ח"א סי' ט"ז וח"ב סי' קל"ו.

9. ראה שמות פרק כ' פס' כ"ב ורש"י שם: שהמזבח נברא להאריך ימיו של אדם והברזל נברא לקצר ימיו של אדם אין זה בדין שיונף המקצר על המאריך. ועוד שהמזבח מטיל שלום בין ישראל לאביהם שבשמים לפיכך לא יבא עליו כורת ומחבל. ■

Gemara GEM

Combined Installments beyond the Domain of Shabbos

או שנשרפה...פטור.

The Gemara discusses a case of carrying out enough ink to write two letters, while carrying only enough for one letter at a time. After the first drop was taken out and the letter was written, the ink dried. At this point, even with the remaining drop being taken into the public domain, the person is no longer liable, because the cumulative amount of ink, the amount dried plus the remaining drop, is no longer enough to com-

prise the minimum volume for culpability.

The ר"ן writes that the ink that dried and therefore has a diminished volume, is parallel to the case of food being brought out in two stages, where the first installment was burned before the supplemental amount was then taken out. There, too, the person is פטור.

Pri Megadim ponders whether this phenomenon is necessary only by הוצאה, which is a different type of melacha than the others (מלאכה גרועה), or whether it is true by all of the melachos. For example, what would the law be if a person cooked a half-k'zayis of food and ate it, and then he cooked a second half-k'zayis of food. Here, again, the first half is no longer in existence when the second

half is then cooked. Would we also say here that the person is not liable?

The Meiri clearly holds that this is true by all of the melachos, and not only by הוצאה. The Minchas Chinuch seems to leave this issue unresolved. In Mitzvah 15, he discusses the prohibition of taking the meat of a korban Pesach outside of one's house. He asks what would happen if a person took out a half-amount from his doorway and then ate it, and then he took out the second half-amount. Would these two parts combine to earn the person lashes, or not? We see that the Minchas Chinuch considers this issue applicable even beyond the realm of הוצאה on Shabbos, and even beyond the realm of the laws of Shabbos. ■

