

## ואי שייך בכרגא דהכא לא מצי מעכב –

**But if he pays the local taxes, one cannot prevent him**

### OVERVIEW

ר"ה בד"י ruled that any of the people from one city can prevent a person from another city from doing business in their city.<sup>1</sup> However if the outsider pays taxes in this city, he cannot be prevented. תוספות qualifies this ruling.

פירוש<sup>2</sup> בני העיר<sup>3</sup> אבל בני מבו מצי מעכבי שלא יכנס<sup>4</sup> במבואם:

The explanation of this exception is regarding **the people of the city** in general; however the dwellers of a **מבו** can prevent a person from another city from entering in their **מבו** and doing business there even though he pays city taxes.

### SUMMARY

A stranger from a different city can be prevented from opening in a specific **מבו** even if he pays taxes.

### THINKING IT OVER

What is תוספות ruling based on?<sup>5</sup>

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<sup>1</sup> This means that any person in a city can prevent a stranger from doing business anywhere in the city, even if it is not his **מבו** (since the stranger pays no taxes locally).

<sup>2</sup> The word 'פירוש' generally denotes that the meaning is not what it seems to be at first glance, as we can see here.

<sup>3</sup> If the stranger pays taxes, a local person cannot prevent him from opening business in any part of the city (meaning if he is opening his business not in the **מבו** of the one who seeks to prevent him, he cannot prevent him).

<sup>4</sup> However, the dwellers of a **מבו** can prevent a stranger (from a different city) from opening a business in their **מבו** even though he is paying the local taxes. Paying local taxes allows him the right to open a business in the city at large, but not in a specific **מבו** where he is not wanted.

<sup>5</sup> Can we derive anything from the query of ר"ה בד"י?!