

## An average boat holds thirty *Kur*

## סתם ספינה בת תלתין כורין –

### OVERVIEW

The *Brayta* taught that if one added an additional כור on a ספינה, the renter is liable. Our <sup>1</sup> derived from this *Brayta* that an average ספינה can carry thirty כור. Our *Gemara* reconciles our *Gemara* with a seemingly contradictory *Gemara*.

משמע דתוספת אחד משלשים<sup>2</sup> ואם כן מדתנא סאה לגמל משמע דמשא גמל כור -

It seems that the addition necessary to hold the שוכר liable is one thirtieth more than it can normally carry. Therefore, since our משנה requires an addition of a סאה for a camel (for the שוכר to be liable), it seems that the regular load of a camel is a כור (which is thirty סאה).

*Tosfos* asks:

וקשה לרבינו יצחק בן מאיר דבפרק מי שהחשיך (שבת דף קנה,ב) אמר רב ירמיה מדפתי -

And the פרק מי שהחשיך רב ירמיה מדפתי has a difficulty, for ריב"ם relating an unusual incident -

לדידי חזי לי ההוא טייעא דאוכלה כורא ואטענה כורא -

‘I saw this Arab merchant who fed his camel one כור and loaded upon her one כור’ (this was an unusual sight) -

משמע דשאר גמלים אין טוענים כל כך אלא ההוא שהיה משונה -

This indicates that other (normal) camels cannot bear so much weight, only that camel, which was an unusual one, could bear such weight, and from our *Gemara* it seems that a סתם גמל can carry a כור!

*Tosfos* answers:

ויש לומר כדפירש הקונטרס התם<sup>3</sup> דאטענה כורא למזונות אותו הדרך לבד שאר המשאוי<sup>4</sup> -

And one can say, as רש"י explained there that he loaded her with a כור of food for the duration of that trip, besides the rest of the load (which was [presumably] much more than a כור).

וכן נראה דאין סברא שיוכל להאכיל לגמל אפילו על ידי אביסה כדי משאו בפעם אחת:

And it also seems so, that it is necessary to explain that *Gemara* as רש"י explains it (even without the contradiction with our *Gemara*), for it is not feasible that one

<sup>1</sup> This follows the rule (mentioned in our משנה) that an addition of 1/30<sup>th</sup>, makes the שוכר liable.

<sup>2</sup> If a ship can carry thirty סאה, then the overload of 1/30<sup>th</sup> is one סאה. See ‘Thinking it over’.

<sup>3</sup> See ד"ה אטענה רש"י there.

<sup>4</sup> The *Gemara* there is discussing the ability to force feed animals, not how much they can carry.

should be able to feed a camel at one time, even by force feeding him, an amount of food which is **equal to the load** the camel **can carry**.<sup>5</sup> Therefore we must conclude that the load mentioned there, was only the camel's food for the trip besides his load.

### **SUMMARY**

A normal camel can carry a כור. The unusual camel carried a כור food for the trip besides the rest of its load.

### **THINKING IT OVER**

רב פפא deduces the ratio of  $1/30^{\text{th}}$  for an overload, from the statement of תוספות.<sup>6</sup> Seemingly תוספות could have derived it from our משנה, which states that an addition of three קבין for a donkey (which can normally carry a [15 סאה – 90 לתך] makes the שוכר liable. This is the same ratio of  $1/30^{\text{th}}$ . Why derive it from רב פפא?!

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<sup>5</sup> A camel can certainly carry much more than he can eat at one time (even when force fed).

<sup>6</sup> See footnote # 3.