

## חייב – And it stuck to the face of the brick he is – וטח בפניה חייב

### Overview

Our גמרא teaches that if someone threw an object and it stuck to the side of a brick, he is חייב. We know that generally to be חייב there has to be a הנחה ע"ג מקום ד' will be discussing how is there a 'מקום ד' in this case of the brick.

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**The ר"ת says that if it rested on the face of the brick higher than three טפחים from the ground<sup>1</sup>**  
**– צריך שיהא בפניה ארבעה על ארבעה טפחים by four טפחים, and only then is he חייב**  
**– because the fact that it is stuck to the face of the brick, that is considered as if it is resting on the brick, and therefore he is חייב, because there was a 'מקום ד' על ד' חייב, because there was a 'מקום ד' על ד' חייב.**  
**– אף על פי שאינו אלא באויר even though in reality it is not resting on the brick, but it is suspended in the air, nevertheless we consider it as if it is resting on the brick which is a 'מקום ד' על ד' חייב.**

**and similarly that which we learnt<sup>2</sup> in a משנה, that if someone threw an object at a wall, and it came to rest on the wall lower than ten טפחים from the ground, it is considered as if he threw it on the ground, and he is חייב**  
**– ומוקי לה רבי יוחנן בדבילה שמינה is משנה explained that the רבי יוחנן – and שמינה is referring to a case where someone threw a fat fig, which stuck to the side of the wall,**  
**we must use the same explanation – היינו טעמא נמי**  
**– דכיון שנדבק בפני כותל that since it is stuck to the face of the wall**  
**– ד' על ד' שהוא רחב ד' על ד' which has an area of ד' על ד' חייב**  
**– it is considered as if the fig is actually resting on the wall.**

**however the ריב"א maintains that even if the object stuck to the face of the brick/wall above three טפחים from the ground**  
**– לא בעי שיהא בפני הלבינה וכותל ד' על ד' it is not necessary that the face of the brick or wall should have an area of ד' על ד' in order for it to be considered a proper הנחה and be חייב**

<sup>1</sup> If it is lower than three טפחים there is no need for a 'מקום ד', since below three it is considered to be resting on the ground proper.

<sup>2</sup> לקמן ק,א

**because, since the object that is stuck to the face of the wall is suspended above the ground**  
**it is considered as if it is resting upon the ground**, and therefore it is a proper חייב and he is חייב.

**The ר"י has a difficulty with the view of the ריב"א** – וקשה לרבינו יצחק דלעיל (דף ז,א) –  
for we find **previously** –

**when the גמרא asked on our משנה**, which states **that if he stretched out his hand** into another domain and placed it in the hand of the receiver he is חייב, on which the גמרא asks –

**why is he חייב, we require an עקירה והנחה מעל גבי מקום ארבע** – **why is he חייב**, but according to the ריב"א, this question may be answered, by

**qualifying that our משנה is discussing a case where the object is being held in such a manner**

**that it is suspended above the ground**, which according to the ריב"א is considered as if it is resting on the ground; so there is a מקום ד'. Therefore what is the question of the גמרא<sup>3</sup>?

### Summary

If an object is thrown ד"א ברה"ר and sticks to the side of a wall; if it is למעלה מ'ג', he is always חייב, between ג' and י', he is always פטור, if it is למטה מ'ג', he is always חייב, according to the ר"ת if the area of the wall is ד' על ד' he is חייב, otherwise he is פטור. According to the ריב"א, he is always חייב regardless of the area size.

### Thinking it over

1. According to the ר"ת that we consider it, as if it is actually resting on the wall/brick on a מקום ד'; since it is למעלה מ'ג', why is it not considered as if it is resting on a כרמלית?

2. According to the ריב"א since we consider that פני הקרקע is as if it is למעלה מ'ג', then why are you not חייב even if it landed מ'ג' קרקע?

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<sup>3</sup> See ריב"א וטוס' הרא"ש, who answer this question on the ריב"א.