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Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שט״ו סעיף ג׳

Overview

Siman 315 Seif 3:

When erecting a bed it is prohibited to arrange the legs and then place the boards on top of it; rather one should hold the boards in the air and then place the legs beneath it. This is true when the legs are boards that attach like walls of a box but regarding the legs of our beds as well as the legs of a table it is permitted in all circumstances.

- A temporary *ohel* is not prohibited if one only constructed a roof unless the roof was constructed to protect something from the sun and rain but otherwise it is not prohibited unless one also makes a wall on Shabbos. It is also prohibited only when one first makes walls and then adds a roof but if it was constructed in the opposite order it is not prohibited. (M.B. 17)
- It is prohibited only when he placed the legs before the roof but if the legs were already in place it is permitted to place the boards on it. (M.B. 18)
- It is permitted since it was constructed in the opposite order which is not the normal manner of construction. (M.B. 19)
- When the intent of the construction is to use the space on top of the *ohel* he must also construct the walls in order for it to be prohibited. Magen Avrohom writes that placing a pillow of straw on a hole that permits smoke to escape may be prohibited when the pillow fills the entire empty space. This implies that when the hole is on the side it is permitted to plug the hole since he is merely adding to the wall. Tosefes Shabbos asserts that Magen Avrohom's uncertainty is when the hole is three *tefachim* because if it was less, *lavud* would consider it closed and one who relies on Tosefes Shabbos will not lose. This discussion relates to where there are not coals in the oven but if there were it would certainly be prohibited since that would cause the coals to become extinguished even if that was not his intent since the outcome is inevitable. (M.B. 20)
- The walls must reach the ground but if they are within three *tefachim* of the ground, *lavud* considers it as if they reach the ground. (M.B. 21)
- Taz writes that since people use the space beneath a bed for storage, even if there are only two legs that reach the ground it is prohibited but when Shulchan Aruch permits constructing a table he is lenient even there are a few walls and it is prohibited only when there are four walls. Some authorities are lenient with regards to a table even when there are four walls since one does not use the space beneath the table unless it is common to use that space. Shulchan Aruch, however, implies that if the walls reach the ground one must be stringent, therefore, one should take into account Taz's position and hold the board in the air and then place the legs beneath it. (M.B. 22)
- Legs of our beds and tables do not form walls but if the legs attach to the board firmly it is prohibited because it is an act of construction even if now one does not insert them firmly as long as one normally inserts them firmly. (M.B. 23)

Halacha Highlight

Dismantling an *ohel*

Shulchan Aruch Siman 315 Seif 3
אלא ישים הקרשים תחלה באויר
Rather he should place the beams in the air first

Shulchan Aruch teaches that when setting up a bed on Shabbos one may not place down the legs and then place the planks on top of them; rather one should first hold the planks in the air and then place the legs beneath them. Mishnah Berurah (ס״ק י״ח) notes that Shulchan Aruch was precise when he wrote that it is prohibited only when one first arranges the legs and then places the planks upon them but if one found legs already in place it is permitted to place the planks on them since generally one must first make walls and then add a roof to violate the prohibition against making an *ohel* on Shabbos. Mishnah Berurah (ס״ק י״ט) also explains that when one first makes walls and then adds a roof he has violated the prohibition since that is the normal manner of making an *ohel*. When one first holds up what will be the roof and then adds the walls beneath it he has not violated the prohibition since the structure was not formed in the normal manner.

Chazon Ish (או״ח סי נ״ב סק״ז) writes that when dismantling a bed it is prohibited to first remove the top and then the bottom the same way it is prohibited to remove the bottom and then the top. His reasoning is that when it comes to dismantling something there is no such thing as doing so in an unusual manner and thus is always prohibited. Rav Nissim Karelitz (חוט שני ח״ב פל״ו סק״ט) further explains that although when constructing an *ohel* there are ways to do the construction in an unusual manner since there is a specific order in which one normally constructs something, when it comes to dismantling something, there is no such thing as a normal manner of doing so or deviating from the normal manner of doing things. All that is important is that it should be dismantled and that is accomplished regardless of the order in which it is dismantled.