The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Wed, Jan 10 2024 ■ כ"ט טבת תשפ"ד
סימן שט"ו סעיף ו'-ט'

Overview

Siman 315 Seif 6:

When arranging barrels one on top of another with one resting upon two, one must hold the upper barrel and arrange the lower ones beneath it rather than arrange the lower ones first and place the upper ones on it.

- One requires the space between them since if there was no airspace the contents would spoil. (M.B. 29)

Siman 315 Seif 7:

It is permitted to place down two *sefarim* and a third resting on those two since one does not require the space beneath it.

- This refers to a circumstance in which one will study from those two *sefarim* or if they were already there because otherwise it would be disrespectful to bring the other *sefarim* to prop up the one from which one wishes to study. Magen Avrohom and Chaye Adam disagree and are lenient about this matter. (M.B. 30)
- For this reason it is permitted to spread a cloth on a table with the edge of the cloth hanging down on all sides of the table. (M.B. 31)

Siman 315 Seif 8:

A sloped *ohel* that does not have a roof that is a *tefach* across horizontally nor does it spread a *tefach* across within three *tefachim* of the top is a temporary *ohel* and one who makes one on Shabbos is exempt.

- Even if one made it to last for many days it is nevertheless only a temporary *ohel*. (M.B. 32)
- Even if the entire roof was flat one would not be liable if it is no wider than a *tefach*. (M.B. 33)
- If the roof is a tefach wide it is considered permanent and he is liable. If one made something that is only temporary he has violated only a Rabbinic prohibition. (M.B. 34)
- He is exempt from bringing a Chatas but has violated a Rabbinic injunction. According to Rashi and Rosh if the roof is not a *tefach* it is not considered an *ohel* and is permitted. Shulchan Aruch follows the stringent approach and Pri Megadim contends that if one intended for it to be permanent he violated a Rabbinic injunction. (M.B. 35)

Siman 315 Seif 9:

A strainer that is suspended so that sediment could be poured in to be strained and whose opening is spread out is considered a temporary *ohel* and it prohibited to make one.

- The strainer is wide and open on the top and closed and pointed on the bottom and the pointed part is inserted into the utensil and the upper, wide part surrounds the mouth of the utensil so that it forms a roof on the utensil and thus Rabbinically prohibited. (M.B. 36)

Halacha Highlight

Opening an umbrella

Shulchan Aruch Siman 315 Seif 8

כל אהל משפע

A sloped *ohel*

Shulchan Aruch (סעי' ח') states that one who makes a sloped *ohel* that does not have a roof that is a *tefach* nor does it widen to a *tefach* within three *tefachim* of its roof has made a temporary *ohel* that is Rabbinically prohibited on Shabbos. Biur Halacha (ד"ה טפח) raises the issue of whether it is permissible to open an umbrella on Shabbos. He relates that many authorities maintain that it is prohibited and explain that the prohibition is due to the formation of an *ohel*. The *Poskim* explain that any time one intends to create an *ohel* to protect oneself from the sun or the rain one is liable for making an *ohel* even when the *ohel* is comprised of just a roof without walls. Since the function of an umbrella is to protect one from the sun and the rain it is certainly prohibited. It is also not similar to a folding chair since when one opens a folding chair one is merely stretching or unfolding pieces that are already attached but when one opens an umbrella it is necessary to tie the parts in place so that it doesn't collapse and that additional act constitutes a full-fledged act of forming an *ohel* on Shabbos.

Chazon Ish (או"ח סי' נ"ב סק"ו) disagrees and contends that the prohibition against opening an umbrella is not because it involves the formation of an *ohel*. He argues that there is no substantive difference between opening an umbrella and unfolding a chair. The reason it is prohibited is that opening an umbrella violates the prohibition of מתקן מנא forming a utensil. He explains that when one opens an umbrella it becomes usable in all places as opposed to other types of *ohel* which are used in the place they were formed. Additionally, since it is done in the presence of others it is prohibited under the category of עובדין דחול—a weekday activity which could cause a potential breach in overall observance of Shabbos which must be treated more stringently than an individual prohibition.