The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ש"ע סעיף ד'-ה'

Overview

Siman 370 Seif 4:

If the residents of a yard were eating at a table together they do not need to make an *eruv* even though each one has his own house since they are considered residents of a single house. If they must join with residents of another yard they can collectively contribute towards the *eruv* with one loaf of bread to the place where the *eruv* will be stored. If the *eruv* will be stored by them they are not required to contribute any bread in accordance with the general rule that the residents of the house where the *eruv* is stored do not contribute to the *eruv* and all of these houses are counted as one. Similarly, if many home owners eat in the same room but at separate tables, only one *eruv* is required even though they will sleep in different rooms. The reason is that there is no partition that separates them where they eat so it is similar to eating in a large hall. Even if occasionally they set up curtains for privacy, it is not considered a partition since it is not there permanently.

- This is true even though each person eats his own food. (M.B. 36)
- Any one of them may contribute towards the *eruv* and it is not necessary to convey ownership to the others since he is acting as their agent. (M.B. 38)
- Rema adds that it is not even necessary for them to eat at a single table. (M.B. 39)

Siman 370 Seif 5:

The residence of someone who will eat in one location and sleep in another location is where he eats and prohibits there. Therefore, if brothers eat in their father's home but sleep in their own house do not prohibit. If he delivers to them a portion for them to eat in their home they prohibit. The above is true when the other residents of the yard place the *eruv* in another location but if the other residents of the yard will place the *eruv* in one of these homes or if there are no other residents in the yard, they are not required to make an *eruv*.

- They do not prohibit where they eat, since they are part of their father's home or where they sleep, since that is not their place of residence. (M.B. 43)
- They do not prohibit others or even one another if they do not make an *eruv*. (M.B. 45)
- When there are no other residents they do not make an *eruv* since their father combines them by delivering to them their food. The same rationale applies when the *eruv* is stored in one of their houses. (M.B. 46)

Halacha Highlight

Residents who share a table

Shulchan Aruch Siman 370 Seif 4
שהיו כלם אוכלים על שלחן אחד

Where they all eat at a single table

Shulchan Aruch (סעי' ד') rules that when residents of a yard eat at the same table it is not necessary for them to make an *eruv* even though they all sleep in their separate homes. The reason is that since they eat together they are considered to be residents of the same home. Mishnah Berurah (ס"ק ל"ו) points out that this ruling remains true even if each of the people eats his own food. Rema takes this principle one step further (ע' מ"ב ס"ק ל"ט) and writes that even if each of the residents eats at a separate table, nevertheless, since they eat in the same room it is considered as though they are all residents of that home.

Shulchan Aruch HaRav (סעי' ו') writes that the place where a person eats on Shabbos determines his residence. Therefore, if during the week all the residents eat in their separate homes but on Shabbos they join together in the same house to eat, they are considered residents of that house. Teshuvas B'Tzeil HaChochmah proves that the majority of authorities agree with Shulchan Aruch HaRav's position about this matter, but does note that Rambam seems to indicate that a person's residence is determined by the place where he eats throughout the week. In the event someone will eat the Shabbos night meal in one location and the Shabbos day meal in a second location he will prohibit both yards. Aruch HaShulchan (סעי' י"ז) writes that the determining factor is the location where a person will eat his meal. Accordingly, if a person sleeps in one location and eats his meals in a second location the place of residence is the place where he eats (שו"ע סעי' ה'). This is true even though he drinks and eats *mezonos* foods in the place where he sleeps since the primary factor is the location where a person eats his meals.