



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Bava Basra Daf Kuf Beis

- A Mishna says, if someone digs and finds a previously unknown meis, which is lying in the way Yidden are normally buried, we can assume that this meis was placed there due to circumstance, and this does not mean that there are other meisim in this area. Therefore, the meis may be moved along with the surrounding earth. If he finds 2 such meisim next to each other, the same process may be followed. If he finds 3 such meisim, and the distance between the two outer meisim is more than 4 amos but less than 8 amos (which would be typical of the way in which they would then bury meisim), we must assume that this entire area is a cemetery and these meisim may not be moved. To make the area lose the status of a cemetery, he must search for other meisim for a distance of 20 amos in all directions. If he finds even one meis at the end of that 20 amos, he would then have to search an additional 20 amos from that newly found meis. For although had he found this one isolated grave initially he would have been allowed to move it, since he had previously found the other graves there is "raglayim l'davar" ("legs to stand on") that this is part of a cemetery.
 - **Q:** When the Mishna says that if 3 meisim were found within a space of 4 to 8 amos it is considered to be a cemetery, whose view does the Mishna follow? According to the **Rabanan** in our Mishna the burial cave is only 4x6, which means that when meisim are further apart than the 6 amos, they could not be part of the same burial cave! According to **R' Shimon**, the burial cave must be 6x8! Who is the view of this Mishna that says the cave must be 4x8 amos? **A:** The Mishna follows another Tanna's view of **R' Shimon**. A Braisa says that if a number of meisim were found right next to each other, with less than the normal space of burial between them, they are not considered to be part of a cemetery, but **R' Shimon ben Yehuda in the name of R' Shimon** says that we view the middle meisim as if they are not there, which creates space between the other meisim, and as long as there is a space of between 4 and 8 amos between them, it is viewed as a cemetery.
 - **Q:** The Mishna then said that the person must search for an additional 20 amos in all directions. Now, according to **R' Shimon**, he should need to search for 22 amos (the cave is 8 amos long, the chatzer is 6 amos long, and the next cave is another 8 amos long), so how can he be the Tanna of this Mishna! The Mishna also seems not to be able to follow the **Rabanan**, because according to them he should only need to search for 18 amos (6 for the cave, 6 for the chatzer, and another 6 for the second cave)! **A:** The Mishna follows the view of the **Rabanan**, and they require that the search of the first cave be done diagonally across the cave, which is a distance of close to 8 amos, and that is why the Mishna says that the search must be for 20 amos (8 for the first cave, 6 for the chatzer, and 6 for the second cave).
 - **Q:** If the first cave must be searched diagonally, why doesn't the second cave also have to be searched diagonally, which should result in a required search of 22 amos! **A:** The **Rabanan** only required that one cave be searched on a diagonal, not both.
 - **A: R: Shisha the son of R' Idi** said that the Mishna follows **R' Shimon**, and the case is that the 3 meisim that were found were all babies. In that case we assume that a cave of only 6 amos was made. That is why he must only search for 20 amos (6 for the burial cave for the babies, 6 for the chatzer, and 8 for the other, regular sized burial cave).
 - **Q:** If one cave is assumed to have been built smaller for babies, we should also assume that the facing cave was built for babies as well, and

he should therefore only need to search for 18 amos!? **A:** We can make an assumption that one cave was made for babies, but would not assume that the second cave was also made for babies.

- **Q:** In the Braisa quoted above the **Rabanan** did not say we view the middle meisim as if they are not there, and **R' Shimon** said that we do. Now, a Braisa regarding closely planted vines contradicts this, because in that case the **Rabanan** say we view the middle vines as if they are not there, and **R' Shimon** says that we do not!? **A:** **R' Shimon** is not self-contradictory, because he holds that one does not plant vines with the intent to uproot them, but with meisim, it is possible that one buried a meis in between 2 other, properly buried meisim, due to time restrictions, with the intent to move the meis later when time permits. The **Rabanan** are also not self-contradictory, because it may be that they hold that such closely packed burials are considered disgusting, and therefore prevent the status of a cemetery from taking hold. With regard to vines, it may be that the person planted them closely together with the intent that the vines that grow well will be left, and the others will be removed to be used as firewood.

HADRAN ALACH PEREK HAMOCHER PEIROS!!!

PEREK BEIS KOR -- PEREK SHEVI'I

MISHNA

- If a person says "I am selling you a beis kor of earth" (land suitable for planting) and the land had in it areas that were 10 tefachim deep, or rocks that were 10 tefachim high, they are not measured along with the rest of the field. If these areas are less than 10 tefachim deep or high, they are measured along with the land. If he had instead told the buyer, "I am selling you about a beis kor of earth", then even if there are areas that are 10 tefachim deep, or rocks that are 10 tefachim high, they are measured along with the land.