



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

Bava Basra Daf Kuf Yud Aleph

V'HA'ISH ES IMO...

- **Q:** How do we know that a son inherits his mother, and that he precedes a daughter as well? **A:** A Braisa says, the pasuk says “and any daughter who inherits from the *matos* (plural) of the Bnei Yisrael”. This teaches that it is possible for a daughter to inherit from two shevatim. How can that be possible? It must be a case where her father is from one Sheivet and her mother is from another Sheivet, and they both died and the daughter inherits them both. We see that a daughter inherits her mother. How do we know that a son would as well? We can learn it from a kal v'chomer – if a daughter, who is in a weaker position than the son when inheriting from a father, inherits from her mother, then surely the son would inherit from the mother as well. We would then say further, that just as the son precedes the daughter when inheriting from the father, he would also precede when inheriting from the mother. **R' Yose the son of R' Yehuda and R' Eliezer the son of R' Yose in the name of R' Zecharya ben Hakatzav** said, when inheriting from a mother, a son and daughter would be on equal footing. This is based on the concept of “dayo” (when learning from a kal v'chomer, the thing that is being taught cannot come out stronger than the thing that it is being learned from).
 - **Q:** Does the T”K not hold of the concept of dayo? He must, because a Braisa says that dayo is a D'Oraisa concept! **A:** Usually he does say dayo, but in this case he does not, based on a drasha of the pasuk. The pasuk says “matos”, which teaches a comparison from her inheriting her father to her inheriting of her mother – just like when she inherits from her father the son comes before her, the same is when she inherits from her mother.
 - **R' Nitai** was going to pasken like **R' Zecharya ben Hakatzav**, but **Shmuel** told him that the halacha does not follow that view.
 - **R' Tavla** paskened like **R' Zecharya**, based on having heard from **R' Chinina bar Shlemya in the name of Rav** that the halacha is to follow him. **R' Nachman** told him he must go and reverse his psak or be put in cheirem.
 - **R' Huna bar Chiya** was going to pasken like **R' Zecharya**, based on having heard that **R' Huna in the name of Rav** paskened like him. **R' Nachman** said, I will ask **R' Huna** whether he paskened that way. **R' Huna bar Chiya** became embarrassed (and was afraid that maybe he had heard wrong, or that **R' Huna** had possibly retracted his view). **R' Nachman** said, if this would have happened after **R' Huna** had passed away, you would have argued with me (unafraid of being challenged).
 - **R' Nachman** held like the view of **Rav and Shmuel**, who both said that the halacha does not follow the view of **R' Zecharya ben Hakatzav**.
 - **R' Yanai** (who was older and had poor eyesight) was walking and leaning on the shoulder of his attendant, **R' Simlai**, as **R' Yehuda Nesiah** was walking towards them. **R' Simlai** said, the person approaching us is a man of status and his cloak is a high quality cloak. When they were close enough to meet, **R' Yanai** touched the cloak and said this is as low quality as sackcloth! **R' Yehuda Nesiah** then asked, how do we know that a son takes precedence over a daughter when inheriting from the mother? **R' Yanai** said, it is based on the pasuk that says “matos”, which teaches that just as a son takes precedence when inheriting from the father, he also takes precedence when inheriting from the mother. **R' Yehuda Nesiah** asked, if there is such a comparison we should also say that just as a bechor gets a double portion when inheriting from the father, a bechor should also get a double portion when inheriting from the mother!? **R' Yanai** told his attendant, take me away from here, because he is not someone who truly wants to learn (he is asking a question that is easily answered, and just wants to argue).

- **Q:** Why is it that a bechor does not receive a double portion when inheriting from his mother? **A: Abaye** said, the pasuk regarding the double portion of a bechor says “lo” (referring to the father), which teaches that it only applies to the father’s estate, not the mother’s estate.
 - **Q:** Maybe this limitation only applies to a bechor who is the firstborn of the father but not the mother, but if he is also the firstborn of the mother he would get a double portion? **A: R’ Nachman bar Yitzchak** said, the pasuk says “reishis ono” – the first of *his* strength (the father’s firstborn) and not of the mother.
 - **Q:** That pasuk is needed to teach that a son born after his father had a “neifel” would be considered a bechor for purposes of inheritance!? **A:** For that drasha the pasuk could have said “reishis *oin*”. The extra “vuv” of “ono” teaches our drasha as well.
 - **Q:** Maybe this limitation only applies to a bechor who is the firstborn of the mother, but not of his father, but if he is the firstborn to them both he would be entitled to a double portion of his mother’s estate as well? **A:** Rather, **Rava** said, the pasuk says “lo (to him) mishpat habechorah”. This teaches that the double portion for a bechor only applies to the estate of a father, and not of a mother.

V’HA’ISH ES ISHTO...

- **Q:** How do we know this? **A:** A Braisa says, the pasuk of “she’eiro” refers to his wife and teaches that a man inherits his wife. The pasuk of “v’yarash osah” teaches that he inherits her, but she does not inherit him.
 - **Q:** The pasuk of “she’eiro” means that the person it refers to is the one who *gets* the inheritance, not the one who gives it!? **A: Abaye** said, we read the pasuk as stating the phrase “unisatem es nachalaso l’karov eilav” and then as saying “she’eiro v’yarash osah”, so it is two different halachos.
 - **Q: Rava** asked, who allows the cutting of the pasuk in this way!? **A:** Rather, **Rava** said, we understand the pasuk to say, “you shall give the inheritance of *she’eiro* to him”.
 - A Braisa says, **R’ Akiva** says the pasuk of “v’yarash osah” teaches that a husband inherits his wife. **R’ Yishmael** said this drasha is not needed, because there are a number of other pesukim that teach that a husband inherits his wife (the Braisa proceeds to quote a number of pesukim, and the Gemara then explains why all the pesukim are necessary).