



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 Daled

- We have learned, with regard to the kinyan of chalipin, until what point may the parties retract? **Rabbah** said for as long as they are still sitting in the same place. **R' Yosef** said for as long as they are still dealing with the same matter.
 - **R' Yosef** said, I can bring a proof from the statement of **R' Yehuda** where he said that if 3 people went to visit a sick person who gave them instructions for his will, if they want they can record this in writing and sign as witnesses, and if they want they can act as a Beis Din and carry out judgement. Now, if one may retract from chalipin for as long as they are sitting there, how can they act as Beis Din and carry out judgement!? It is still possible that the sick person will retract on his instructions!
 - **R' Ashi** said to **R' Kahana** that this is not a proof, because even according to **R' Yosef** we must be concerned that the sick person will retract as long as they are still dealing with the matter. Therefore, we will have to say that they are no longer talking about the matter. In that same way we can say that they moved from where they were sitting and therefore even according to **Rabbah** he can no longer retract.
 - The Gemara paskens like **R' Yosef**.

HA'ISHAH ES BENA...

- **Q:** Why did the Mishna have to teach this case? It was already taught in the previous set of cases, when the Mishna says that a man inherits his mother and his wife, but does not leave for them to inherit him. This is now again saying that a mother leaves over for her son to inherit, which is simply repetitive!? **A:** The Mishna is teaching that the case of a woman and her son is like the case of a woman and her husband in the following way. Just as a husband does not inherit his wife regarding assets that will eventually go into her estate after her death, a son who dies before his mother will not inherit his mother, meaning that if he has no children but has brothers from the father, they would not be able to inherit his mother's estate through him.
- **R' Yochanan in the name of R' Yehuda the son of R' Shimon** said, D'Oraisa a father inherits his son and a mother inherits her son, as can be darshened from the plural word "matos", which creates a hekesh regarding inheritance from the father to the mother, and teaches that just as a father inherits his son, a mother also inherits her son.
 - **Q:** **R' Yochanan** asked **R' Yehuda the son of R' Shimon**, our Mishna clearly says that a mother does not inherit her son!? **A:** **R' Yehuda** said, I don't know who the Tanna of the Mishna is.
 - **Q:** Why didn't **R' Yehuda** just answer that the Mishna follows **R' Zacharya Ben Hakatzav**, who does not darshen a hekesh from the word "matos"? **A:** The Mishna cannot be said to be following **R' Zecharya**, because the Mishna says that the sons of a sister inherit, and **R' Sheishes** explained a Braisa on the Mishna to mean that a son would come before a daughter. This cannot follow **R' Zecharya**, because he holds that with regard to inheriting from a mother, a son and a daughter are on equal footing.
 - **Q:** Our Mishna seems to not make sense!? If the Tanna darshens the hekesh of "matos", then he should hold that a woman inherits her son, and if he does not darshen the hekesh, then how does he know that a son comes before a daughter when inheriting from the mother!? **A:** The Tanna does darshen the hekesh. However, the reason a mother does not inherit her son is because the pasuk says "v'chol bas yoreshes nachalah", and he darshens that a daughter inherits ("yoreshes"), but does not hand down for her mother to inherit her.