



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

Bava Basra Daf Yud Beis

- **Rabbah bar bar Chana in the name of R' Yochanan** said, if there are alleyways in a city that lead to roads to another city, and the people of the first city want to close off those alleyways, the people of the second city may prevent them from doing so. This is not only if that is the only access to the city. Rather, even if there are other access roads, they would be able to prevent the people from blocking the road. This is based on the statement of **R' Yehuda in the name of Rav**, who said that if the public has established a right to walk through private property (they walked through many times without protest by the owner), the owner may no longer prevent them from using it.
- **R' Anan in the name of Shmuel** said, if there are alleyways of a city that are open to the reshus harabim, and the residents of the mavoys want to install doors to prevent the public from entering the alleyways, the public can prevent them from doing so.
 - At first they thought that this only applies only when the doors are to be installed within 4 amos of the reshus harabim, because **R' Zeira in the name of R' Nachman** said that the 4 amos adjacent to the reshus harabim have the status of the reshus harabim. However, that was only said regarding status for purposes of tumah. With regard to putting up doors, it can even be prevented if it is more than 4 amos from the reshus harabim, because the reshus harabim is sometimes overcrowded, forcing the public to go into these alleyways, thereby giving them a right to be in them.

V'LO ES HASADEH AHD SHEYIHEI BAH TISHA KABIN...

- **R' Yehuda** and the **T"K** do not actually argue. Each gave the size of land that was needed to plant a profitable crop in their locale.
 - **Q:** How much is needed for each to force a division in Bavel? **A: R' Yosef** said, enough for someone to plow for the entire day.
 - **Q:** If this means that the plowing during the planting season takes a full day, that would mean that the plowing during plowing season would be for more than one but less than 2 days (which would mean that workers and animals would have to be hired for 2 days, but would work for less than that), and if this means that there is one day of plowing in the plowing season, there is less than one day of plowing needed for the planting season (which again leads to extra expense)!? **A:** Either we can say that it is where it takes a day to plow during the plowing season, and where the custom is to plow twice during the planting season, which will result in a full day of work, or we can say that it takes a day to plow in the planting season, but it is hilly terrain, and therefore will take 2 full days to plow in the plowing season.
- With regard to a well, **R' Nachman** said it can be forcibly divided if each partner can draw enough water every day for what is needed to irrigate his field.
 - With regard to a vineyard, **Shmuel's** father said each partner must be able to get an area of 3 kav. A Braisa says this as well, where **Sumchos** says, if someone agrees to sell "a piece of a vineyard", he must give at least an area of 3 kav.
 - **R' Yosef**, this is not based on logic, but is rather like "words of prophecy".
 - **Q:** What is the minimum required size for division of a vineyard in Bavel? **A: Rava bar Kisna** said, each partner must get an area large enough for 3 rows of vines, each row large enough to have 12 vines, which will require a person to spend a full day to dig.
 - **R' Avdimi of Chaifa** said, although nevu'ah was taken away from the nevi'im after the Churban, it was not taken away from the chachomim.

- **Q:** Was there no chochom who was a navi before the Churban? **A:** He meant, that although nevu'ah was taken away from the nevi'im who were not also chachomim, it was not taken away from the chachomim.
 - **Amaeimar** said, a chochom is greater than a navi, based on a drasha of a pasuk.
 - **Abaye** said, we see this is true, because we find that often chachomim say things that other chachomim say as well, even though they had not discussed the matter with each other. **Rava** said, this is no proof, because it may be that they are both of the same mazal. **Rava** said, rather, we see this because at times a chachom says something that is later found to have been said by **R' Akiva bar Yosef** (who was certainly smarter than the other chachomim, and so the only way to explain how another chochom could have had the same thought is to say that it came to him through prophecy). **R' Ashi** said this is also no proof, because it may be that the other chochom was of the same mazal as **R' Akiva**, and therefore, although not as smart, had the same thought to say the same thing. Rather, the way we know this is true is because at times a chochom will say something and later determine that what was said was actually a Halacha L'Moshe MiSinai. We can't blame this on him being lucky, because he gives a reason for his statement. Therefore, it must be based on nevu'ah.
- **R' Yochanan** said, after the Churban, nevu'ah was taken from the prophets and given to the shotim and to the children.
 - We find that nevu'ah is possessed by shotim from the story of **Mar bar R' Ashi**, who heard a shoteh mention that he (**Mar bar R' Ashi**) was to become Rosh Yeshiva, and it ultimately happened. We find that children have nevu'ah from the story of **R' Chisda's** daughter, who as a child said she would marry both **Rami bar Chama and Rava**, and that is eventually what happened.
- **R' Avdimi of Chaifa** said, before a person eats and drinks he has two hearts (he wavers and can't decide), but once he eats and drinks he becomes decisive (based on a drasha of the pasuk that says "nevuv", which refers to something being empty).
 - **R' Huna the son of R' Yehoshua** said, even someone who is very closed with his feelings will open up after drinking wine.
- **Q: R' Huna the son of R' Yehoshua** said, it is obvious that the portion that a bechor gets for being a regular son and the portion that he gets for being a bechor are given from bordering parcels. What about the double portion that a yavam gets (he gets the portion of the brother whose wife he married)? **A: Abaye** said, he also gets two bordering parcels like the bechor, because the pasuk regarding a yavam is darshened to mean that he is referred to as a bechor. **Rava** said, the pasuk says "v'haya habechor", which his darshened to mean that he is considered a bechor in that he receives a double portion, but is not like a bechor in that the yavam's double portion need not be from an adjoining parcel.
- There was an heir who owned land next to his father's land. When his father died he asked for his share to be on the border of the land that he already owned. **Rabbah** said, in this case we force the brothers to do so, because it causes them no loss and would be like "midas Sedom". **R' Yosef** asked, the brothers can claim that there is a loss, by saying that that field is of higher quality!? The Gemara paskens like **R' Yosef**.
 - In a case where 2 brothers inherited two plots of land, each with an irrigation canal going through it, and one of the brothers wanted one of them in particular, because it was near his other land, **Rabbah** said, in this case we force the brother to do so, because it causes him no loss and would be like "midas Sedom". **R' Yosef** asked, the brother can claim that there is a loss, because it may be that one canal will produce enough water and the other won't!? The Gemara paskens like **R' Yosef**.
 - If there are two plots of land irrigated by the same canal (and one brother wants one in particular...), **R' Yosef** said, in this case we force the brother to do so, because it causes him no loss and would be like "midas Sedom". **Abaye** asked,

the brother can claim that if he makes his brother's fields be separated, his brother will have to hire more sharecroppers, which will make for a more protected field!? The Gemara paskens like **R' Yosef**, because this claim is not a valid one.

- If one side of the field borders a canal and the perpendicular side borders a river (e.g. the north side border a canal and the east side border a river), they divide the field into 8 sections (like the cutting of a pie of pizza) and each brother receives each alternating piece. In that way they each get a piece that adjoins the river and a piece that adjoins the canal.