



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

Bava Basra Daf Chuf Beis

- **R' Nachman bar Yitzchak** said, **R' Huna the son of R' Yehoshua** (who says that even the **T"K** agrees that people of a town may prevent people from another town from coming in and competing with an existing business) would agree that peddlers who go from town to town selling perfumes cannot be prevented from selling in a particular town. This is based on a takana of Ezra, that peddlers should go around and sell these items so that these items always be available for the Jewish women. Now, this is only if they continue to be transient sellers, but if they want to set up shop permanently in a town, they may be prevented from doing so. However, if the peddler is one of the Rabanan, he may not be prevented from setting up shop permanently. We see that **Rava** did so for **R' Yoshiya** and **R' Ovadya**. The reason for this is so that it not disrupt his learning.
 - There were people who sold baskets who came to sell their baskets in Bavel. The people of the city wanted to prevent them from selling there. **Ravina** told them, since there are many people who are not residents of this city, who come to buy in the city on the market day, we can't prevent this outside person from selling in the market. However, they can be limited to selling only on the market day, and only in the marketplace.
 - There were people who sold wool, who came to sell their wool in Pumbedisa. The people wanted to prevent them from doing so. **R' Kahana** told the sellers, the people have the right to prevent you from selling here. The sellers said, we have sold here in the past on credit, and now need to be here to collect the money, and if we remain here to collect the debts and can't sell, we will not be able to live! **R' Kahana** told them, you can sell to earn as much as you need to live until you collect your debts, and then you must leave.
 - **R' Dimi of Neharda'ah** brought dried figs on a ship to sell at the destination city. The Reish Galusa told **Rava**, "go and see if **R' Dimi** is one of the young Rabanan, and if he is, make sure that no one competes with him in the marketplace". **Rava** told **R' Ada bar Abba** to check out **R' Dimi**. He went and asked him a question regarding tumah, and **R' Dimi** did not know the answer. **R' Dimi** asked him whether he was **Rava**, to which **R' Ada bar Abba** responded by hitting him with his stick on his shoe and saying, "Between me and **Rava** there is a huge difference, however you must agree that I am your rebbi, and **Rava** is therefore the rebbi of your rebbi". He did not give him exclusivity in the marketplace, and as a result all the figs spoiled. When **R' Dimi** told **R' Yosef** how he was embarrassed, **R' Yosef** told him, "Hashem will quickly pay back for your embarrassment". **R' Ada bar Abba** then died. **R' Yosef** felt that he was at fault for the death, because he cursed him. **R' Dimi** felt that he was at fault, because **R' Ada bar Abba** was punished for making **R' Dimi's** figs spoil. **Abaye** felt that he was at fault, because **R' Ada** would convince talmidim to leave **Abaye** and go learn by **Rava**. **Rava** felt that he was at fault, because **R' Ada** would push aside **Rava's** servant at the butcher shop to go first. **R' Nachman bar Yitzchak** felt that he was at fault, because **R' Ada** would always go and review the shiur with **R' Nachman** before **R' Nachman** would give it. One day **R' Ada** didn't come, because others had asked for help with **Rava's** shiur, that they had missed. When the **Rabanan** asked **R' Nachman** to begin the shiur, he said, "I am waiting for the bed (coffin) of **R' Ada**" (since he hadn't shown up to review with him, he said the only excuse would be if he had died). It was then heard that **R' Ada** did die. The Gemara says, it is most logical to say that he died as the result of **R' Nachman bar Yitzchak**.

MISHNA

- If someone has a wall next to the wall of his neighbor, he may not place another wall next to the neighbor's wall, unless he moves it 4 amos away.
- If someone builds a wall opposite the windows of his neighbor, he must make sure that it is either 4 amos above or below, and 4 amos away from the windows.

GEMARA

- **Q:** The Gemara understands the Mishna to mean, that if one had a wall within 4 amos to his neighbor's wall and his wall fell, he may not build another wall within 4 amos. Why was he allowed to put the first wall there to begin with? **A: R' Yehuda** said, the Mishna means to say, if someone wants to build a wall (for the first time) near the wall of his neighbor, he must distance it 4 amos.
 - **Q: Rava** asked, the Mishna clearly says that it is talking about where there was already an existing wall!? **A:** Rather, **Rava** said, the Mishna is saying, if someone had a wall 4 amos away from his neighbor's wall, and the wall fell, he may not build a new one within 4 amos to the neighbor's wall. The reason is, people walking in the 4 amos between the walls help to harden and strengthen the earth and the walls. Therefore, 4 amos of space must be left so that people will continue to walk in between the walls.
 - **Rav** said, this is only true for the wall of a garden, because people will not walk on the inside of the garden wall. However, people will walk on the inside of a chatzer wall, and therefore one may build a wall within 4 amos to his neighbor's chatzer wall (the people will strengthen the ground by walking on the inside of the wall). **R' Oshaya** said, in both cases (a garden wall and a chatzer wall) one may not build it within 4 amos to the neighbor's wall).
 - **R' Yose bar Chanina** said, they do not argue. **Rav** is discussing an old city, where the ground around the chatzeiros have already been sufficiently hardened. **R' Oshaya** is discussing a new city, where the ground still needs to be hardened.
 - **Q:** A Braisa explains our Mishna as follows. If someone builds a wall opposite his neighbor's window, he must make it 4 amos higher than the window, so that he not crouch down from the top of the wall and look into the window, or 4 amos lower than the window, so that he not stand on it and look into the window, and it must be away from the window, so that it not block the light coming into the window. The Braisa suggests that the only problem with getting closer than 4 amos is that it will block the light, not that it will prevent people from walking in between and hardening the ground!? **A:** The Mishna is talking about a wall that is perpendicular to the other wall. In such a case we are not concerned with the ability of people to walk in between.
 - **Q:** How far away does the wall have to be from the window so that it not block the light? **A: R' Yeiva**, the father in law of **Ashyan bar Nadback in the name of Rav** said, the width of a standard window.
 - **Q:** If it is so close, even if the wall is a lot taller he will still be able to look into the window!? **A: R' Zvid** said, the wall is a sloping wall, which he can't stand on.
 - **Q:** Our Mishna talks of a wall with a window, and presumably the issue is the blocking of light, and yet the Mishna says that he must distance the wall 4 amos!? **A:** The Braisa is discussing where there is one perpendicular wall on one side of the window. The Mishna is discussing where there are walls on both sides of the window.
 - **Q:** A Mishna says that a wall must be distanced 4 amos from a neighbor's gutter, so that he has room to put a ladder to climb and clean the gutter. This suggests that the 4 amos are not needed to allow people to walk and harden the ground!? **A:** The Mishna is discussing a gutter on a slanted roof with an overhang, and distancing 4 amos from the gutter means the wall is more than 4 amos away at its base. That level of distance is not needed to allow people to walk (because less than that would be sufficient).

MISHNA

- A person must distance a ladder at least 4 amos from his neighbor's dovecote, so that an animal not climb the ladder and jump into the dovecote.
- A wall must be distanced 4 amos from a neighbor's gutter, so that he has room to put a ladder to climb and clean the gutter.

GEMARA

- **Q:** Shall we say that the Mishna does not follow **R' Yose**, who says that one neighbor may dig a bor at the property line from one side and the other neighbor may plant a tree at the property line from the other side? **A:** The Mishna can follow **R' Yose**, because **R' Ashi in the name of R' Kahana** said, that **R' Yose** would agree that where the damage is direct, it may not be done. In this case, it is possible that as he places the ladder against the wall, an animal will crawl out from a hole in the wall and climb into the dovecote. Therefore, even **R' Yose** would say that it may not be done.
 - **Q:** That would be a case of "grama"!? **A:** **R' Tuvi bar Masna** said, we learn from the Mishna that causing damage through grama is assur.
 - **R' Yosef** had small date trees that bloodletters would come and sit underneath. Ravens would come to eat the blood that was left there, and would then fly up and eat the dates of the tree. **R' Yosef** told the bloodletters to go somewhere else so that they not cause this loss. **Abaye** asked, what they are doing is only a grama!? **R' Yosef** said, **R' Tuvi bar Masna** said, we learn from the Mishna that causing damage through grama is assur. **Abaye** asked, but the bloodletters have established a chazaka to use that area!? He answered, **R' Nachman in the name of Rabbah bar Avuha** said, that one cannot make a chazaka for damage. **Abaye** asked, **R' Mari** said this refers to damage of smoke and **R' Zvid** said this refers to damage of using as a bathroom (but there can be a chazaka for other damage)!? **R' Yosef** answered, because I am so particular, the damage done by the ravens is to me like damage done by smoke or a bathroom.