



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

### Bava Basra Daf Chuf Vuv

#### MISHNA

- One may not plant a tree near his neighbor's field unless he distances it 4 amos from the field. This applies to planting vines or any other kind of tree. If there is a fence separating the properties, each neighbor may plant a tree all the way up the fence.
- If one planted a tree and the roots grew into his neighbor's property, the neighbor may dig down 3 tefachim to remove any roots so that it not stop the plow. If the neighbor was digging a form of bor and found roots, he may cut the roots out of his way to whatever depth he finds necessary, and he may keep the wood.

#### GEMARA

- A Braisa says, the reason for the 4 amos is to allow for the amount of room needed to work the vineyard.
- **Shmuel** said, 4 amos are only needed in EY, but in Bavel (where smaller plows are used), 2 amos would be enough.
  - A Braisa supports this, because it says that one must distance a tree 2 amos from the neighbor's field. Now, our Mishna says 4 amos!? It must be that the Mishna is discussing EY and the Braisa is discussing Bavel, like **Shmuel** said.
    - Some asked the Braisa as a contradiction to our Mishna, and answered that **Shmuel** said that in EY 4 amos are needed, but in Bavel, 2 amos are sufficient.
- **Rava bar Chanan** had palm trees along the boundary of his field that bordered the vineyard of **R' Yosef**. Birds would come and sit on the palm trees, and from there they would go and damage the vineyard. **R' Yosef** told him "cut down your trees!" **Rava bar Chanan** said, "I have already distanced them 4 amos from your field, as is required!" **R' Yosef** said, 4 amos is only enough when the neighbor planted *trees* in his field, not when he planted a vineyard. **Rava bar Chanan** asked, our Mishna says it applies to trees or to vines!? **R' Yosef** said, that means that 4 amos are enough if he is planting trees next to a field of trees, or vines next to a vineyard. But, to plant trees next to a vineyard, more than 4 amos is needed. **Rava bar Chanan** said, "I will not cut down the fruit bearing palm tree, because **Rav** has said it is assur to cut down a tree, and **R' Chanina** said that his son died for having cut down a date tree. If you want to cut it down, you can do so".
- **R' Pappa** had date trees along the border of **R' Huna the son of R' Yehoshua's** field. He once saw **R' Huna** digging down and cutting the roots of **R' Pappa's** trees that had grown into **R' Huna's** field. He asked "why are you cutting my roots!?" **R' Huna** said, the Mishna says that I may dig down and cut the roots. **R' Pappa** asked, the Mishna says it may be done up to 3 tefachim deep, not more!? **R' Huna** said, I am digging a bor, and the Mishna says that in that case I may dig as deep as I deem necessary and keep the wood! **R' Pappa** later said, "I gave him all the proofs that I was right, but I could not win over him until I told him that **R' Yehuda** had said that a public can get a right of way in a field by having used it, and I too now have a right to my roots in your field". **R' Huna** later said, "I should have answered him back that he only earned a right to keep roots up to 16 amos long (which is what brings the main nutrition to the tree) in my field, but anything beyond that I have a right to cut off".

#### HAYA CHOFER BOR SI'ACH UME'ARAH KOTZEITZ V'YOREID...

- **Yaakov Hadayva** asked **R' Chisda**, who gets to keep the wood of the roots that are cut? **R' Chisda** told him, a Mishna says, if the roots of the trees belonging to an individual grow into a field belonging to hekdesch, one may not benefit from them, but one is not subject to me'ilah if he does. Now, if we say that the roots belong to the owner of the tree, that is why he would not

be subject to me'ilah for using them, but if they belong to the owner of the field who cuts them, why is he not subject to me'ilah? It must be that it belongs to the owner of the tree.

- **Q:** The end of the Mishna says, if the roots of a tree of hekdesch grow into the field of an individual, one may not benefit from them, but one is not subject to me'ilah if he does. Now, if we say that the roots belong to the owner of the tree, why would he not be subject to me'ilah for using them!? **A:** Rather, we can say that the Mishna has no bearing on this question at all. The Mishna is talking about roots that grew after the field was made hekdesch, and the Tanna holds that the growth of hekdesch is not subject to me'ilah. **A2: Ravina** said, that the first part of the Mishna refers to the first 16 amos of the roots (which belong to the owner of the tree) and the second part is talking about the roots beyond 16 amos (which belong to the owner of the field).
- **Ulla** said, a tree that is within 16 amos to the boundary with another field is a thief (because it steal nutrients from the other field) and therefore bikkurim would not be brought from this tree.
  - **Q:** How does **Ulla** know this? It can't be from a Mishna which says that plowing the area of 250 square amos around a tree is considered for the benefit of the tree, and not the ground (for purposes of calculating the time of shmitta), because according to **Ulla**, a tree needs 16 amos in each direction, which would require it to have an area of 1,024 square amos!? It also can't be from a Mishna that says that 3 trees in a "beis se'ah" have the status of an orchard. Now a beis se'ah has 2,500 square amos, which means each tree has 833.3 square amos, still less than the 1,024 square amos that **Ulla** said is needed!? **A: Ulla** didn't give an exact measurement, rather he rounded off, and in truth it only needs 833.3 square amos.
    - **Q:** We only say that a measurement given was not exact, when that results in a chumra, not when it results in a kulah (and **Ulla** gave a kulah that bikkurim are not brought)! **A:** Although it nourishes from 16 amos, it doesn't do so in a square, rather it does so in a circle of 16 amos, whose area would be close to the measurement given in this last Mishna.
      - **Q:** The area of a square is  $\frac{1}{4}$  more than the circle that fits in it. If so, the area of the circle according to **Ulla** (based on a radius of 16 amos) would be 768 square amos, whereas according to the Mishna's area of 833.3, the radius of the circle is 16.5 amos, which is more than what **Ulla** said!? **A:** That is close enough to say that **Ulla** wasn't being exact, and he wasn't being exact in a way that led to a chumra (he is requiring a tree over 16 amos from the neighboring field to bring bikkurim, whereas the Mishna would only require this if the tree was 16.5 amos away).