



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

Bava Basra Daf Nun Zayin

MISHNA

- These are the things (the activities) for which a chazakah can be established, and these are the things (activities) for which a chazakah cannot be established. If a person would keep his animal in a chatzer of someone else, or he kept a tanur oven, millstones, or kirayim oven, or if he raised chickens there, or put his manure there in the chatzer, it does not establish a chazakah (even if he did so for three years without protest by the owner of the chatzer). However, if he made a mechitza 10 tefachim high for his animal, or for his tanur, his kirayim, or his millstones, or if he brought chickens into the owner's house, or if he made a place 3 tefachim deep or 3 tefachim high for his manure, it would establish a chazakah (if this was done for 3 years without protest by the owner).

GEMARA

- **Q:** Why is it that only if he builds a mechitza does a chazakah become established? **A:** **Ulla** said, any act that would create a kinyan in the field of a deceased ger can establish a chazakah when done in someone else's field. Something which could not create a kinyan in the field of a deceased ger could not create a chazakah in another's field. Therefore, these listed activities without making the mechitza could not create a chazakah.
 - **Q: R' Sheishes** asked, is this an absolute rule? If one plows the ger's field he would be koneh it, and yet plowing cannot establish a chazakah!? Also, eating produce can establish a chazakah, but cannot be koneh the field of the ger!? **A:** Rather, **R' Nachman in the name of Rabbah bar Avuha** said, the Mishna is discussing a chatzer owned in partnership, and the listed activities were done by one of the partners of the chatzer. Other members of the chatzer are not particular about someone placing a removable item in their chatzer, and that is why that list of activities cannot establish a chazakah. However, they are particular about someone building a mechitza in the chatzer. Therefore, when one is built, it does establish a chazakah.
 - **Q:** A Mishna says that if partners make a neder not to benefit from each other, they may not even enter their jointly owned chatzer. Now, entering would not be assur if people are not particular about others standing in their chatzer without permission!? If so, just placing the items in the chatzer should act as a chazakah!? **A:** Rather, **R' Nachman in the name of Rabbah bar Avuha** said, the Mishna is discussing doing these activities (placing these items) in the jointly owned backyard of the houses. In that area, people are not particular about allowing someone to place things there, but are particular about someone building a mechitza there. **A2: R' Pappa** said, both Mishnayos are discussing a chatzer owned in partnership. Some people are particular about allowing one of the partners to place things in the chatzer and some people are not. Therefore, in our Mishna we must assume that these partners allowed him to place the items there, which results in him not being able to establish a chazakah. Regarding the making of a neder, we must assume that the partner is particular about his entering, and therefore it is assur for him to do so. **A3: Ravina** said, really people are not particular about someone entering or placing things in the jointly owned chatzer (which is why no chazakah is established in our Mishna). The Mishna regarding the neder is following the view of **R' Eliezer**, who says in a Braisa, that even a benefit that one would grant to every person becomes assur to do for one to whom he is assur with a neder.

- **R' Yochanan in the name of R' Bina'ah** said, residents of a jointly owned chatzer can prevent each other from doing any activity in the chatzer that would get in the way of the other residents, except for washing clothes (which must be allowed), because it is not proper for Jewish girls to embarrass themselves by washing clothes out in the public (i.e. outside the chatzer).
 - **R' Chiya bar Abba** darshened the pasuk that praises "one who closes his eyes from seeing evil" as referring to one who doesn't look at women while they are washing clothes.
 - **Q:** What is the case of the pasuk? If there was another way for him to go (without having to even pass by the women) then he is a rasha for taking that path by the women, even if he closes his eyes!? If there is no other way to go, then he is an oneis (and how can he be asked not to look)!? **A:** The case is that there is no other way, and the pasuk is praising the person who goes there and controls himself not to look.
 - **R' Yochanan** asked **R' Bina'ah**, how long should the shirt of a talmid chachom be (this "shirt" was a tunic that covered the entire body)? He answered, it should be long enough that no skin should be seen at all. **R' Yochanan** then asked, how long should his talis be? **R' Bina'ah** answered, long enough so that only less than a tefach of the shirt is visible. **R' Yochanan** asked, how should the table of a talmid chachom be arranged? He answered, two thirds of it should be covered by a tablecloth and one third should be left exposed, and the plates and vegetables should be put on the exposed part, and the ring (from which the tabletop was hung when not in use) should be on the outside of the table, away from where the one who is eating is sitting.
 - **Q:** A Braisa says that the ring should be on the inside!? **A:** When there is a child there it is to be placed on the outside. The Braisa is discussing where there is no child there. **A2:** When there is a waiter there it should be placed on the inside (which is the case of the Braisa). **A3:** Even if there is a waiter, it only needs to be placed in the inside when the meal is taking place at night (which is the case of the Braisa).
 - **R' Bina'ah** continued and said, the table of an ahm haaretz is like a fire with pots all around it. He then said, how does the bed of a talmid chachom look? It has nothing underneath it except for sandals during the summer (these were his winter shoes that he stored there during the summer) and his summer shoes during the winter. The bed of an ahm haaretz has a messy storeroom underneath it.