



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

### Bava Basra Daf Ayin Beis

- **Q:** The Gemara just said that **R' Shimon** (who said that if someone would be makdish his land and retain two trees for himself he would not retain any land) follows the view of **R' Akiva**. The Gemara asks that this can't be based on a Braisa. The Braisa says, that if someone gives less than 3 trees to hekdesch, he is not automatically makdish the land around the trees as well. Now, this can't be the view of **R' Akiva**, because he says that one who sells, and therefore certainly one who gives to hekdesch, does so generously. It also can't be the view of the **Rabanan** who argue with **R' Akiva**, because they said in our Mishna that when one gives to hekdesch he does so generously (and includes the items that are typically excluded in a sale). Rather, the Braisa must follow the view of **R' Shimon**, who says that even one who is makdish does not do so generously (he does not automatically include the grafted carob trees or pruned sycamore trees). Now, whose view does **R' Shimon** follow when he says this? He can't follow **R' Akiva**, because he says that one who sells, and therefore certainly one who gives to hekdesch, does so generously. Rather, he must follow the view of the **Rabanan**, and he holds that the **Rabanan** hold that just as a seller does not sell generously, so too one who is makdish does not do so generously. We see that he does not hold like **R' Akiva**! If so, the question on **R' Huna** returns. He said that one who sells a field and retains two trees would retain the land around the trees, but we just said that even **R' Shimon**, who says that a seller and a makdish are the same, says that one who is makdish a field and retains two trees does not retain any of the land along with it! If so, who did **R' Huna** say his halacha according to!? **A:** Based on the above, **R' Shimon's** view is difficult to understand, because he gives the reason as being that the trees would nourish from the field of hekdesch. If he holds that a person does not donate especially generously, then the land under the trees remains his, and the trees are therefore not nourishing from hekdesch! Rather, we must say that **R' Shimon** in the Mishna is speaking according to the view of the **Rabanan**, and he is saying, "according to me, one who is makdish is like a seller, in that he does not do so in a generous fashion, and he therefore keeps the land along with the trees that he retains. But, you, **Rabanan**, at least agree with me that when one is makdish, the only extras that he gives along with the field are the carob and sycamore trees!" The **Rabanan** answer that there is no difference between those trees and all the other items that are typically left out of a sale, and all are therefore included when someone is makdish a field. Based on this understanding, we can go back to our explanation of **R' Huna**, as having being said even according to the view of **R' Akiva**.
- **Q:** The Gemara earlier quoted a Braisa and said that it follows the view of **R' Shimon**. However, the next part of the Braisa says, that if a person is makdish his trees individually, and is then makdish his field, when he would want to redeem these, he would have to redeem the trees separately, and the field separately. Now, that is at odds with what **R' Shimon** says in another Braisa, where he says that if someone bought a field from his father and was then makdish it, and his father then died, he would redeem the field as an inherited field, and not as a field that was purchased and given to hekdesch. That shows that **R' Shimon** says redemption is done based on the status immediately preceding redemption. If so, in the Braisa, since immediately before redemption the field and the trees were owned by hekdesch, the trees should be redeemed along with the land, and not separately! We see that the Braisa can't follow the view of **R' Shimon**! **A:** **R' Nachman bar Yitzchak** said, **R' Shimon** really doesn't hold that redemption is done based on the status immediately preceding redemption. The reason he says that the field is treated as an inherited field in that case is based on a drasha of a pasuk.
- **R' Huna** said, a grafted carob and a pruned sycamore have the status of a tree and the status of land. It has the status of a tree in that if one was makdish or sold two trees plus a grafted carob,

the buyer would get land along with the trees. It has the status of land in that it is typically not sold along with the land.

- **R' Huna** also said, a bundle of grain that has 2 se'ah has the status of a bundle and the status of a stack. It has the status of a bundle in that if it was forgotten along with two other bundles the halacha of "shikcha" would not apply (as is the case with 3 forgotten bundles). It has the status of a stack in that it itself is not subject to shikcha, because it is a stack, and not a bundle.
- **Rabbah bar bar Chana in the name of Reish Lakish** said, whether a grafted carob and pruned sycamore become hekdesch along with the field is subject to the machlokes between **R' Menachem the son of R' Yose** (who says they do not become hekdesch) and the **Rabanan** (who say that they do).
  - **Q:** Why didn't he say that it is subject to the machlokes between **R' Shimon** and the **Rabanan**? **A:** He wanted to teach us that **R' Menachem the son of R' Yose** holds like **R' Shimon**.

**HADRAN ALACH PEREK HAMOCHER ES HABAYIS!**