



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

Bava Basra Daf Ayin Vuv

- We have learned with regard to a ship, **Rav** says a person can make kinyan meshicha by pulling it even a tiny amount, and **Shmuel** says it is not a kinyan until it is moved totally out of the place that it was.
 - **Q:** Maybe we can say that this machlokes is the same as a machlokes among Tanna'im in a Braisa. The Braisa says, one can be koneh a ship with meshicha. **R' Nosson** says one can be koneh a ship and promissory notes with meshicha or with a shtar.
 - **Q:** Why did **R' Nosson** even bring up anything about a promissory note if it wasn't addressed by the **T"K**? **A:** The Braisa is missing words. The **T"K** said that one can be koneh a ship with meshicha and a note with mesirah (giving over), and **R' Nosson** therefore said that each can be koneh with meshicha or shtar.
 - **Q:** A ship is moveable property, so why would a shtar be needed? **A: R' Nosson** must have said that one can be koneh the boat with meshicha and the note with a shtar.
 - **Q:** Based on this, **R' Nosson** is saying the same thing as the **T"K** regarding a ship!? Rather it must be that they argue in the machlokes between **Rav and Shmuel**, as to what constitutes meshicha! **A:** It may be that they both agree, either like **Rav** or like **Shmuel**, and the machlokes is only regarding the kinyan for a note – the **T"K** holds it must be done with mesira and **R' Nosson** holds it must be done with a shtar. In fact, we find a Braisa where **Rebbi** holds that a note can only be koneh with mesira and the **Rabanan** hold that shtar and mesira are needed.
 - **Q:** Based on this, we are saying that the **T"K** of our Braisa holds like **Rebbi**, but that can't be, because **Rebbi** says in a Braisa that a ship is koneh with mesirah, whereas the **Rabanan** say one can only be koneh a ship with meshicha or by renting the area in which the boat is sitting!? **A: Rebbi** is talking about where the ship is sitting in the reshus harabim, whereas the first Braisa is talking about where the ship is sitting in an area off the reshus harabim.
 - **Q:** If this later Braisa is talking about where the ship is in the reshus harabim, how can the **Rabanan** argue and say that one can be koneh the ship with meshicha (which can't be done in the reshus harabim) or until he rents the place!? Who is he renting the place from!? Further, **Abaye and Rava** both say that meshicha can't be done in the reshus harabim!? **A:** The **Rabanan** mean to say that he would have to do meshicha by taking the ship from the reshus harabim into a side street, or if the case was that the ship was in the owner's reshus, he would have to rent the area from him.
 - **Q:** Based on this, **Abaye and Rava** who say that mesira can be koneh in the reshus harabim only follow **Rebbi**, who says that mesira is koneh there, but not the **Rabanan**!? **A: R' Ashi** said, the **Rabanan** would agree that mesira can be koneh in the reshus harabim. The case of the Braisa is that the seller told the buyer to be koneh with meshicha. The **Rabanan** hold that the seller is particular about how the buyer is koneh, and if his instruction is not followed, the kinyan is invalid. **Rebbi** holds the kinyan would still be valid.