



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

Bava Basra Daf Ayin Tes

MACHAR ASHPAH MACHAR ZIVLAH...

- A Mishna says, with regard to anything that is given to hekdesch, there is a halacha of me'ilah with them and with whatever is in them. For example, if someone gives to hekdesch: a bor full of water, a garbage dump full of manure, a dovecote full of doves, a field full of grass, or a tree laden with fruit, there is a halacha of me'ilah for the items and for what is in them. However, if gave to hekdesch: a bor that afterward became full with water, a garbage dump that afterward became full with manure, a dovecote that afterward became full with doves, a tree that afterward became full with fruit, or a field that afterward became full with grass, there is only a halacha of me'ilah for the item given to hekdesch, but not for the items inside these things. This is the view of **R' Yehuda**. However, **R' Yose** says, if one gives a field or tree to hekdesch, there is a halacha of me'ilah with them and the things that grow in them, because they are things that grew in hekdesch.
 - A Braisa says, **Rebbi** said, the words of **R' Yehuda** seem correct regarding the bor and dovecote, and the words of **R' Yose** seem correct regarding the field and tree.
 - **Q:** What does this mean? It makes sense to say that the words of **R' Yehuda** seem correct regarding a bor and dovecote, because this suggests that he argues with regard to the cases of the tree and field. However, by saying that **R' Yose** seems correct with regard to the tree and field, it suggests that he argues regarding a bor and dovecote, which is not the case!? In fact, a Braisa clearly says that **R' Yose** agrees with **R' Yehuda** except for the cases of the tree and the field!? **A:** **Rebbi** is saying, that the words of **R' Yehuda** appear correct to **R' Yose** in the cases of bor and dovecote, because **R' Yose** only argues in the cases of the tree and the field.
 - A Braisa says, if items were given to hekdesch when empty and they then became filled up, the items themselves are subject to me'ilah, but the items in them are not. **R' Elazar the son of R' Shimon** said that even the items in them are subject to me'ilah as well.
 - **Rabbah** said, the machlokes is regarding the case of a tree or field, and the machlokes is that the **T"K** holds like **R' Yehuda**, and **R' Elazar the son of R' Shimon** holds like **R' Yose**. However, in the case of a bor or dovecote, all would agree that there is me'ilah for the item itself, but not for the water or doves inside.
 - **Q: Abaye** asked, a Braisa says, if the items were given to hekdesch when full, there would be me'ilah for the items and for what is in them, but **R' Elazar the son of R' Shimon** reverses his view (and holds that the items inside are not subject to me'ilah). Now if the machlokes in the earlier Braisa is regarding a tree or field, that would mean that **R' Elazar** holds that fruit that grows after it becomes hekdesch is subject to me'ilah. If so, why would he reverse his view here? He would certainly hold that fruit that was given to hekdesch along with the tree is subject to me'ilah!? **A:** Rather, **Rabbah** said the machlokes in the earlier Braisa is regarding the case of the bor or dovecote, but in the case of the tree or field, all would agree that the tree and field, and the fruit and grass, are subject to me'ilah.
 - **Q:** What is the point of machlokes regarding when the bor or dovecote is given empty, and what is the point of machlokes when they are given already full? **A:** When they are given to hekdesch empty the machlokes is the same as the machlokes between **R' Meir and the Rabanan**. The **T"K**

holds like the **Rabanan**, who say that a person can't give something that is not yet in the world (so he can't make hekdesch the water that is not yet in the bor), and **R' Elazar the son of R' Shimon** holds like **R' Meir**, who says that a person can give something that has not yet come into the world.

- **Q: R' Meir** only holds that someone can do that when the thing is very likely to come into the world, like in the case of fruits that will grow on a tree, but in the case of the water in the bor or the doves in the dovecote, who says that they will come? **A: Rava** said, the case would be where his chatzer drains into the bor (so water is likely to come) or where he has other dovecotes nearby (and the doves of those will likely come and settle in this dovecote as well).
- **Q:** What is the point of machlokes when the person gave a full bor or dovecote? **A: Rava** said, the machlokes is when the person said he is giving the bor to hekdesch, but made no mention of the water. **R' Elazar** holds like his father **R' Shimon**, who says we compare giving to hekdesch to giving to an individual, and just as in that case a seller of a bor can claim that he never meant to sell the water in the bor, the same will be when one gives to hekdesch.
 - **Q:** Our Mishna said that when one sells a bor the water is included in the sale even if the seller did not specifically say so!? **A: Rava** said, the Mishna is a minority view. We have a Braisa that says that the **Rabanan** say that one who sells a bor does not include the water, and it is only **R' Nosson** who says that the water is included.