



## Daf In Review – Weekly Chazarah

### Maseches Bava Basra, Daf נ" – Daf ט"

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen,

A"H vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

#### -----Daf נ"---11-----

- A Braisa says, it once happened that King Munbaz emptied all of his treasuries and the treasuries of his ancestors to feed the poor during years of hunger. His brothers and family ganged up on him and said “Our ancestors amassed all this wealth and you just spend it all!?” Munbaz answered (based on pesukim), “Our ancestors amassed wealth down on earth, whereas I have amassed wealth with zechusim in Heaven! Our ancestors amassed wealth in a place where it is at risk to be taken, whereas I have amassed wealth in a place where it can never be taken from me! Our ancestors amassed wealth that does not bear fruits from which they could benefit, whereas I have amassed wealth that produces fruits to benefit from! Our ancestors amassed treasuries of money, whereas I have amassed treasuries of souls! Our ancestors amassed wealth for other people to use, whereas I have amassed wealth for myself (by using it for tzedaka)! Our ancestors amassed wealth down in this world, whereas I have amassed wealth in the next world!”

V'IHM KANAH BAH BEIS DIRAH HAREI HU K'ANSHEI HA'IHR

- Our Mishna does not follow **R' Shimon ben Gamliel**, who says in a Braisa that even if one buys the smallest piece of land in a city, he is immediately considered to be a citizen of that city.
  - **Q:** A Braisa says that **R' Shimon ben Gamliel** says that one becomes a citizen immediately only if he buys a piece of land large enough to build a house on it!? **A:** There are 2 Tanna'im who disagree as to what **R' Shimon ben Gamliel** held.

#### MISHNA

- We cannot force a person to divide his chatzer unless each person will be left with at least 4 square amos. We cannot force division of a field unless each person will be left with at least a piece large enough to plant 9 kav of seeds in it. **R' Yehuda** says there must be at least nine half kavs for each person. We cannot force division of a garden unless each person will be left with at least ½ kav. **R' Akiva** says there must be at least ¼ kav for each person. We cannot force the division of a “traklin” or “morán” (rooms) or a dovecote or a talis or a bathhouse or an olive press or an irrigated field, unless there is enough for each of the partners. The general rule is, anything that is divided and will still be called by the same name after the division, can be divided. If not, it cannot be divided.
- This is all when we don't have both partners consenting to the division. However, if they both consent, the property may be divided even if it is smaller than the minimums mentioned above.
- With regard to scrolls of Tanach, even if the partners agree, they may not be divided.

#### GEMARA

- **R' Assi in the name of R' Yochanan** said, the 4 square amos that are necessary to be left for each partner is in addition to 4 square amos that each must have at the entrance to his house. We see this from a Braisa as well, which says that a chatzer can only be divided if there are 8 square amos for each. This seems to contradict our Mishna!? According to **R' Assi** it does not.
  - **Others** ask this Braisa as a contradiction to our Mishna, and then quote the statement of **R' Assi in the name of R' Yochanan**, to answer the contradiction.
- **R' Huna** said that a chatzer is divided based on the number of entrances (if one brother inherited a house with 2 entrances in the chatzer and the other brother inherited a house with one entrance, the brother with the two entrances gets 2/3 of the chatzer). **R' Chisda** said, each entrance gets 4 square amos, and the remainder is divided equally among the partners.
  - A Braisa says like **R' Chisda**, and then says, if one had an entrance that was 8 amos wide, he gets a piece of the chatzer equal to 8 amos opposite the entrance and 4 amos in the chatzer.

## Daf In Review – Weekly Chazarah

- **Q:** What is meant that he gets “4 amos in the chatzer”? **A:** **Abaye** said, it means he gets 8 amos in length, opposite his entrance, and he gets 4 amos deep into the chatzer (he gets a piece equal to 8x4 amos).
- **Ameimar** said, with regard to a pit into which date pits are thrown (and used to feed animals) which is inherited by one of the sons, he gets 4 amos on all sides of the pit as well. However, this is only if the father had not designated a specific entrance to use for access to the pit. If he did do so, the son only gets 4 amos by that entrance.
- **R’ Huna** said, an “achsadra” (a gazebo with a roof and no walls) is not entitled to get 4 amos in front of it when the chatzer is divided. The reason the entrance to a house gets 4 amos is because it is needed to unload an animal there. With an achsadra, the animal can be brought inside and unloaded there.
  - **Q: R’ Sheishes** asked, a Braisa says that the entrances of houses and the entrances of achsadras get 4 amos!? **A:** This is referring to an achsadra of the yeshiva, which had walls (with windows all around).
    - **Q:** Such an achsadra is obviously going to get 4 amos, because it is a proper room!? **A:** The Braisa is referring to a Roman achsadra (which has low walls that don’t reach the roof).
- A Braisa says, a porch, an achsadra, and a balcony, each get 4 amos. If there are 5 houses that open up onto this balcony, they still only get 4 amos in the chatzer below.
- **Q: R’ Yochanan** asked **R’ Yannai**, does a chicken coop get 4 amos in the chatzer? **A: R’ Yannai** said, 4 amos are given to allow for unloading an animal. A chicken coop does not need that, and therefore it will not get 4 amos.
- **Q: Rava** asked **R’ Nachman**, if there is a house that is half roofed and half not roofed, does it get 4 amos in the chatzer? **A: R’ Nachman** said it does not get 4 amos. This is so not only if the uncovered portion is the part that opens to the chatzer, rather, even if the covered portion opens to the chatzer, it does not get 4 amos.
- **Q: R’ Huna** asked **R’ Ami**, if the owner of a house that is in one mavoy, and that house backs another mavoy, wants to make an entrance in the back of his house into the other mavoy, can the people of that other mavoy prevent him from doing so? **A: R’ Ami** answered that they could prevent him.
  - **Q: R’ Huna** then asked, when there are quartering obligations (to house soldiers), is this done based on the number of people in a building, or based on the number of entrances to the building? **A: R’ Ami** said, it is based on the number of people. A Braisa says this as well.
- **R’ Huna** said, if the people of one chatzer want to enclose the 4 amah area in the mavoy at the entrance to their chatzer, the other people of the mavoy may prevent them from doing so, because it would cause them to have to take a longer route and walk around the enclosure.
  - **Q:** A Braisa says, if there are 5 chatzeiros in a mavoy, all the people in all 5 of the chatzeiros may use the area by the entrance to the outermost (i.e. closest to the reshush harabim) chatzer, and that outermost chatzer may only use that area and no other in the mavoy. The 2<sup>nd</sup> through the 5<sup>th</sup> chatzeiros may all use the area by the entrance to the 2<sup>nd</sup> chatzer, although the people of the 2<sup>nd</sup> chatzer may not use the area deeper in than its own chatzer. The result is that the innermost chatzer has an area that only they may use, and they may use the area of each other chatzer as well. Based on this, how could **R’ Huna** have suggested that anyone in the mavoy can prevent the enclosure when not everyone has equal rights to use a given area!? **A:** It is actually a machlokes among Tanna’im. A Braisa says, **Rebbi** says, if a homeowner wants to make an entrance from the back of his house into a second mavoy, the people of that mavoy can prevent him from doing so. If he used to have a door there, but had since sealed it and now wants to reopen it, they cannot prevent him from doing so. **R’ Shimon ben Elazar** says, if there are 5 chatzeiros in one mavoy, they all have rights to use the entire mavoy. Now, no one mentioned a chatzer, so why did **R’ Shimon ben Elazar** mention it? It must be that the Braisa is missing words, and **Rebbi** had said like the Braisa above (all chatzeiros may use the outermost area, etc.), and **R’ Shimon** then comes to argue and says that all chatzeiros have equal rights to use of the entire mavoy.
    - **Rava** said, when the Braisa says that if there was a door that was sealed, the people cannot prevent him from making an entrance into the mavoy, that is only if he didn’t remove the whole door frame when he sealed the entrance. If he had done so, they can prevent him from making the opening.

## Daf In Review – Weekly Chazarah

- **Abaye** told **Rava**, a Braisa supports your statement. The Braisa says that a sealed entrance is still entitled to an area of 4 amos in the chatzer. However, if the door frame was removed, it is not entitled to the 4 amos.

### -----Daf כ"ב-----12-----

- **Rabbah bar bar Chana in the name of R' Yochanan** said, if there are alleyways in a city that lead to roads to another city, and the people of the first city want to close off those alleyways, the people of the second city may prevent them from doing so. This is not only if that is the only access to the city. Rather, even if there are other access roads, they would be able to prevent the people from blocking the road. This is based on the statement of **R' Yehuda in the name of Rav**, who said that if the public has established a right to walk through private property (they walked through many times without protest by the owner), the owner may no longer prevent them from using it.
- **R' Anan in the name of Shmuel** said, if there are alleyways of a city that are open to the reshus harabim, and the residents of the mavoys want to install doors to prevent the public from entering the alleyways, the public can prevent them from doing so.
  - At first they thought that this only applies only when the doors are to be installed within 4 amos of the reshus harabim, because **R' Zeira in the name of R' Nachman** said that the 4 amos adjacent to the reshus harabim have the status of the reshus harabim. However, that was only said regarding status for purposes of tumah. With regard to putting up doors, it can even be prevented if it is more than 4 amos from the reshus harabim, because the reshus harabim is sometimes overcrowded, forcing the public to go into these alleyways, thereby giving them a right to be in them.

V'LO ES HASADEH AHD SHEYIHEI BAH TISHA KABIN...

- **R' Yehuda** and the **T"K** do not actually argue. Each gave the size of land that was needed to plant a profitable crop in their locale.
  - **Q:** How much is needed for each to force a division in Bavel? **A: R' Yosef** said, enough for someone to plow for the entire day.
    - **Q:** If this means that the plowing during the planting season takes a full day, that would mean that the plowing during plowing season would be for more than one but less than 2 days (which would mean that workers and animals would have to be hired for 2 days, but would work for less than that), and if this means that there is one day of plowing in the plowing season, there is less than one day of plowing needed for the planting season (which again leads to extra expense)!? **A:** Either we can say that it is where it takes a day to plow during the plowing season, and where the custom is to plow twice during the planting season, which will result in a full day of work, or we can say that it takes a day to plow in the planting season, but it is hilly terrain, and therefore will take 2 full days to plow in the plowing season.
- With regard to a well, **R' Nachman** said it can be forcibly divided if each partner can draw enough water every day for what is needed to irrigate his field.
  - With regard to a vineyard, **Shmuel's** father said each partner must be able to get an area of 3 kav. A Braisa says this as well, where **Sumchos** says, if someone agrees to sell "a piece of a vineyard", he must give at least an area of 3 kav.
    - **R' Yosef**, this is not based on logic, but is rather like "words of prophecy".
    - **Q:** What is the minimum required size for division of a vineyard in Bavel? **A: Rava bar Kisna** said, each partner must get an area large enough for 3 rows of vines, each row large enough to have 12 vines, which will require a person to spend a full day to dig.
    - **R' Avdimi of Chaifa** said, although nevu'ah was taken away from the nevi'im after the Churban, it was not taken away from the chachomim.
      - **Q:** Was there no chochom who was a navi before the Churban? **A:** He meant, that although nevu'ah was taken away from the nevi'im who were not also chachomim, it was not taken away from the chachomim.
      - **Amaemar** said, a chochom is greater than a navi, based on a drasha of a pasuk.

## Daf In Review – Weekly Chazarah

- **Abaye** said, we see this is true, because we find that often chachomim say things that other chachomim say as well, even though they had not discussed the matter with each other. **Rava** said, this is no proof, because it may be that they are both of the same mazal. **Rava** said, rather, we see this because at times a chachom says something that is later found to have been said by **R' Akiva bar Yosef** (who was certainly smarter than the other chachomim, and so the only way to explain how another chochom could have had the same thought is to say that it came to him through prophecy). **R' Ashi** said this is also no proof, because it may be that the other chochom was of the same mazal as **R' Akiva**, and therefore, although not as smart, had the same thought to say the same thing. Rather, the way we know this is true is because at times a chochom will say something and later determine that what was said was actually a Halacha L'Moshe MiSinai. We can't blame this on him being lucky, because he gives a reason for his statement. Therefore, it must be based on nevu'ah.
  - **R' Yochanan** said, after the Churban, nevu'ah was taken from the prophets and given to the shotim and to the children.
    - We find that nevu'ah is possessed by shotim from the story of **Mar bar R' Ashi**, who heard a shoteh mention that he (**Mar bar R' Ashi**) was to become Rosh Yeshiva, and it ultimately happened. We find that children have nevu'ah from the story of **R' Chisda's** daughter, who as a child said she would marry both **Rami bar Chama and Rava**, and that is eventually what happened.
  - **R' Avdimi of Chaifa** said, before a person eats and drinks he has two hearts (he wavers and can't decide), but once he eats and drinks he becomes decisive (based on a drasha of the pasuk that says "nevuv", which refers to something being empty).
    - **R' Huna the son of R' Yehoshua** said, even someone who is very closed with his feelings will open up after drinking wine.
- **Q: R' Huna the son of R' Yehoshua** said, it is obvious that the portion that a bechor gets for being a regular son and the portion that he gets for being a bechor are given from bordering parcels. What about the double portion that a yavam gets (he gets the portion of the brother whose wife he married)? **A: Abaye** said, he also gets two bordering parcels like the bechor, because the pasuk regarding a yavam is darshened to mean that he is referred to as a bechor. **Rava** said, the pasuk says "v'haya habechor", which is darshened to mean that he is considered a bechor in that he receives a double portion, but is not like a bechor in that the yavam's double portion need not be from an adjoining parcel.
- There was an heir who owned land next to his father's land. When his father died he asked for his share to be on the border of the land that he already owned. **Rabbah** said, in this case we force the brothers to do so, because it causes them no loss and would be like "midas Sedom". **R' Yosef** asked, the brothers can claim that there is a loss, by saying that that field is of higher quality!? The Gemara paskens like **R' Yosef**.
  - In a case where 2 brothers inherited two plots of land, each with an irrigation canal going through it, and one of the brothers wanted one of them in particular, because it was near his other land, **Rabbah** said, in this case we force the brother to do so, because it causes him no loss and would be like "midas Sedom". **R' Yosef** asked, the brother can claim that there is a loss, because it may be that one canal will produce enough water and the other won't!? The Gemara paskens like **R' Yosef**.
    - If there are two plots of land irrigated by the same canal (and one brother wants one in particular...), **R' Yosef** said, in this case we force the brother to do so, because it causes him no loss and would be like "midas Sedom". **Abaye** asked, the brother can claim that if he makes his brother's fields be separated, his brother will have to hire more sharecroppers, which will make for a more protected field!? The Gemara paskens like **R' Yosef**, because this claim is not a valid one.
    - If one side of the field borders a canal and the perpendicular side borders a river (e.g. the north side border a canal and the east side border a river), they divide the field into 8 sections (like the

## Daf In Review – Weekly Chazarah

cutting of a pie of pizza) and each brother receives each alternating piece. In that way they each get a piece that adjoins the river and a piece that adjoins the canal.

-----Daf ל'---13-----

V'LO ES HATRAKLIN...

- If there is not enough in the property to allow for division with each partner getting the minimum required share, **R' Yehuda** says the partner who wants the division can demand that he either be bought out or be allowed to buy out the other partner. **R' Nachman** says that he cannot make such an ultimatum.
  - **Q: Rava** asked **R' Nachman**, according to you, what would happen when a bechor and his brother inherit a slave or a non-kosher animal? Dividing it is not an option, so what are they to do? **A: R' Nachman** said, the slave or animal would work for the bechor for two days and then for the brother for one day.
  - **Q:** A Mishna says, **B"H** say, if a slave is only half freed, he works for his master one day and for himself one day. **B"S** said to them, you have provided a remedy for the master (he is getting his full share of the work), but have provided no remedy for the slave, because he cannot marry a maidservant since he is partially free, and cannot marry a Jew since he is partially a slave. Is he to sit and not get married? The world was created to produce children! Rather, for the benefit of the world, we force the master to free the second half and the slave then writes a note for the value of that half. **B"H** later retracted their view and agreed with the view of **B"S**. We see, that if not for the fact that the half-freed slave could not marry, all would agree that he could not force the master to sell his share and completely free himself. This refutes **R' Yehuda**! **A:** The reason it wouldn't work in this case is because the slave can offer to buy the half from his master, but he could not make the offer to sell his free half to the master, because a Yid cannot be sold.
  - **Q:** A Mishna says, if there is a wealthy brother and a poor brother that inherit a bathhouse and an olive press, if they were made to be rented out, they are rented out and the money is divided. If they were not meant to be rented out, the wealthy brother can tell his brother "buy slaves for yourselves to prepare the bathhouse for you" or "buy olives to press" (which the poor brother obviously won't do, because he doesn't have the money to do so). We see from here that the poor brother can't force a sale! **A:** The reason it wouldn't work in that case is because he can't offer to buy his wealthy brother's share (since he doesn't have the money).
  - **Q:** A Braisa says, the general rule is, with regard to any object owned in partnership, if it could be divided in a way that it still serves its original function with the share that each partner ends up with, it can be divided. If not, we assess its value and one must buy out the other. This refutes **R' Nachman**! **A:** It is actually a machlokes among Tanna'im in a Braisa. The Braisa says, if one partner of a chatzer that is smaller than the minimum needed to force division tells the other "you take the full minimum amount, and I will take the remaining less than minimum amount", we listen to him. **R' Shimon ben Gamliel** says that we do not listen to him. Now, this can't be understood as written, because why would **R' Shimon** say not to listen to him? Rather, the Braisa must be missing a second case, in which the **T"K** said that if one partner demands to be bought out or to buy out the other partner, we listen to him, and **R' Shimon ben Gamliel** says we do not listen to him. Based on this explanation, this concept is a machlokes among Tanna'im.
    - The Gemara says, it may be that the Braisa is not missing a case. With regard to the question of why would **R' Shimon** say that we don't listen to him, it may be because the partner who is getting the larger piece can say, "if you want me to pay for that extra piece, I don't have money to pay, and if you want to give it to me as a gift, I don't want to accept, because the pasuk says 'v'sonei matanos yichyeh'".
  - **Abaye** told **R' Yosef**, the view of **R' Yehuda** is the view of **Shmuel** (his rebbi). Our Mishna said, with regard to sefarim owned in partnership, even if both partners want to divide it we do not allow them to do so. **Shmuel** said, this is only if there is one sefer, but if there are 2 sefarim, they can divide it by each taking one. Now, if we don't hold that one can demand a buyout, even if there are two they should not

## Daf In Review – Weekly Chazarah

be able to force a division (presumably they are worth different amounts and one partner will have to pay for the difference)!

- **R' Salman** said, **Shmuel** may be discussing where both partners want to divide, but if they did not want to, it may be that he cannot be forced to do so.
- **Ameimar** said, the halacha is that we do allow for a partner to demand to be bought out or to buy the other partner out. **R' Ashi** asked, what about the view of **R' Nachman**? **Ameimar** said that he doesn't hold of **R' Nachman's** view.
  - **Q:** How could he say that we don't pasken like **R' Nachman**? We find that **Rabbah bar Chinina** and **R' Dimi bar Chinina** inherited 2 maidservants from their father – one that knew how to bake and cook and one that knew how to sew and weave. They argued on how to divide these assets. They went to **Rava** and **Rava** said we do not pasken that one can demand to buy out or be bought out. We see that we do pasken like **R' Nachman**!? **A:** That case is different, because each of the brothers needed both of the maidservants, and therefore each cannot be forced to take one rather than the other. Had one insisted on being bought out of his share in both maidservants, it would have been allowed.
    - **Q:** The earlier case of the 2 sefarim, where each partner needs each one, and yet **Shmuel** said that if there were two separate sefarim each partner could take one!? **A:** We said that **R' Salman** said, **Shmuel** may be discussing where both partners want to divide.
- A Braisa says, **R' Meir** says a person may attach sefarim (scrolls) of Torah, Nevi'im, and Kesuvim into one. **R' Yehuda** says Torah must be in a sefer by itself, Nevi'im must be in a sefer by itself, and Kesuvim must be in a sefer by itself. The **Chachomim** say that each book of the Nevi'im and Kesuvim must be written separately. **R' Yehuda** said, it happened that Baisus ben Zunin had 8 books of the Nevi'im together in one sefer, based on the word of **R' Elazar ben Azarya**. **Others** say that he had each book in a separate sefer. **Rebbi** said, it once happened that they brought us to use a Torah, Nevi'im, and Kesuvim all in one sefer, and we said it was valid. The Braisa continues, between each chumash in the Torah there must be a space of 4 lines, and the same is between each book in the Nevi'im. In the Navi of "Trei Asar" there need only be 3 blank lines between each book. However, if a book finishes on the bottom of a column, the next book can start at the very top of the next column (and no blank space needs to be left).
- A Braisa says, a person may attach sefarim (scrolls) of Torah, Nevi'im, and Kesuvim into one. At the beginning of the sefer one must leave enough blank parchment to wrap around the pole, and at the end of the sefer there must be left enough empty space to wrap around the entire sefer. If a book finishes on the bottom of a column, the next book can start at the very top of the next column (and no blank space needs to be left). If one wants to separate the books of the sefer, he may do so.
  - **Q:** A Braisa says, that at the beginning and the end, enough blank parchment must be left to wrap around. This Braisa seems to say that there is an equal amount of blank parchment needed in the beginning and the end, which is different than the last Braisa!? **A:** **R' Nachman bar Yitzchak** said, the Braisa does not mean that they are to be equal. With regard to the beginning it means that there has to be enough to wrap around the pole, and with regard to the end there has to be enough to wrap around the entire sefer. **R' Ashi** said, this second Braisa is referring to a Sefer Torah (which has two poles, and therefore does need an equal amount in the beginning and the end), like a Braisa says, that all other sefarim are rolled to the beginning or end, whereas a Sefer Torah is rolled to its middle, and is made with two poles.

-----Daf 7'--14-----

- A Braisa says, we do not make a Sefer Torah whose height is more than its circumference, or visa-versa. They asked **Rebbi** what the proper height of a Sefer Torah should be, and he told them, "if it is written on "gvil" it should be 6 tefachim tall, and if it is written on "klaf", I do not know".

## Daf In Review – Weekly Chazarah

- **R' Huna** wrote 70 Sifrei Torah, and only once did it come out so that the height equaled the circumference. **R' Acha bar Yaakov** wrote a Sefer Torah on calfskin and it came out so that the height equaled the circumference. The Rabanan looked at him, and he died.
- The **Rabanan** told **R' Hamnuna** that it was said that **R' Ami** wrote 400 Sifrei Torah in his lifetime. **R' Hamnuna** said, this likely means that he wrote 400 times the pasuk of “Torah tziva lanu Moshe”.
  - **Rava** said to **R' Zeira** that **R' Yanai** planted 400 vineyards in his lifetime. **R' Zeira** said, this likely means that he planted 4 vines in a square with a 5<sup>th</sup> in front (which is the minimum size to be considered a vineyard) and planted in this way in 400 places.
- **Q:** The Gemara brings down a lengthy Braisa that discusses the size of the Aron, what was placed inside of it, and how the items were placed inside. According to **R' Meir**, in the two remaining tefachim next to the Luchos they put the Sefer Torah written by Moshe Rabbeinu (this is learned from the double exclusion of the pasuk “ein ba'aron rak shnei luchos ha'avanim”). **R' Yehuda** says this Torah was placed on a box at the side of the Aron, that was sent by the Plishtim when they returned the Aron (this is based on the pasuk that says “lako'ach es Sefer HaTorah hazeh v'samtem oso *mitzad* aron bris Hashem”). **R' Yehuda** will darshen the pasuk of the double exclusion to teach that the broken pieces of the first Luchos were put into the Aron as well. Now, this Braisa refutes **Rebbi's** ruling, because if the circumference must be 6 tefachim, that means that the diameter must be 2 tefachim. Since a Sefer Torah is rolled to the middle, the width will actually be a drop more than 2 tefachim. If so, how could this Sefer Torah have fit into that 2 tefach space!? **A:** **R' Acha bar Yaakov** said, the Sefer Torah in the Aron only had one pole and was rolled up into one roll. Therefore, it didn't have the extra space.
  - **Q:** Even so, the diameter had to be 2 tefachim, so how could it have fit into a space of exactly 2 tefachim? **A:** **R' Ashi** said, they didn't completely wrap it in a roll. They left out a piece, rolled that piece into its own roll, and placed it on top of the other roll. In that way it was less than 2 tefachim wide.
  - **Q:** In the Braisa **R' Yehuda** said that the Sefer Torah was put on the box sent by the Plishtim. Where was the Sefer Torah placed before the Plishtim sent that box? **A:** A board stuck out of the Aron, and the Sefer Torah was placed onto that.
  - **Q:** How does **R' Meir** darshen the pasuk that says the Torah was on “the side of the Aron”? **A:** That pasuk teaches that the Torah was to be placed on the side of the Luchos, not in between them, but it was to be done inside the Aron.
  - **Q:** **R' Yehuda** darshened a pasuk to teach that there were silver poles in the Aron. According to **R' Meir**, there was no space for them, so where were they? **A:** He would say that they were on the outside of the Aron.
  - **Q:** How does **R' Meir** learn that the broken pieces of the first Luchos were placed into the Aron? **A:** He learns it like **R' Huna** does, from a pasuk that says the word “Shem” twice.
    - **R' Yehuda** uses the double verbiage to teach that all the Names of Hashem were written and placed into the Aron. **R' Meir** learns this from this pasuk as well, and he learns that the broken pieces were placed into the Aron from a drasha on the pasuk of “asher shibarta v'samtam”. **R' Yehuda** uses this pasuk to darshen like **Reish Lakish**, that Hashem was thanking Moshe for breaking the Luchos.
- A Braisa says, the order of the Sifrei Nevi'im is: Yehoshua, Shoftim, Shmuel, Melachim, Yirmiya, Yechezkel, Yeshaya, Trei Asar.
  - **Q:** We find that **R' Yochanan** taught that Hosheya lived before Yeshaya, so why is Hosheya not written until the beginning of Trei Asar? **A:** Since his nevu'os were written at the same time as those of Chagai, Zecharya, and Malachi, it is written in Trei Asar along with theirs.
    - **Q:** Why not put Hosheya in its own Sefer, and put it before Yeshaya? **A:** Since it is a very small Sefer, it would be lost if it were given its own Sefer.
  - **Q:** Yeshaya lived before Yirmiya and Yechezkel, so why is it not before them in the order? **A:** The end of Sefer Melachim deals with destruction, and Yirmiya deals with destruction, and the beginning of

## Daf In Review – Weekly Chazarah

Yechezkel deals with destruction, so we put them all together. The end of Yechezkel discusses consolation, so we follow it with Yeshaya.

- The Braisa says, the order of the Kesuvim is: Rus, Tehillim, Iyuv, Mishlei, Koheles, Shir Hashirim, Kinos, Daniel, Megillas Esther, Ezra, and Divrei Hayamim.
  - **Q:** According to the view that Iyuv lived during the times of Moshe, why isn't it first? **A:** We don't want to begin with a sefer that is focused on punishment.
    - **Q:** Rus also discusses punishment!? **A:** It has a positive ending, with the birth of Dovid.
- The Braisa asks, who wrote the various Sefarim? Moshe wrote all of the Torah, and the story of Bilam, and Sefer Iyuv. Yehoshua wrote the last 8 pesukim of the Torah and all of Sefer Yehoshua. Shmuel wrote Sefer Shmuel, Shoftim, and Rus. Dovid wrote Sefer Tehillim with 10 Elders – Adam Harishon, Malki Tzedek, Avraham Avinu, Moshe Rabbeinu, Heiman, Yedusun, Asaf, and the 3 sons of Korach. Yirmiya wrote Sefer Yirmiya, Melachim, and Kinos. Chizkiya and his supporters wrote Yeshaya, Mishlei, Shir Hashirim, and Koheles. The Anshei Kneses Hagedolah wrote Sefer Yechezkel, Trei Assar, Daniel, and Megilas Esther. Ezra wrote Sefer Ezra, and the genealogy in Divrei Hayamim up to the point of himself.
  - This supports the statement of **R' Yehuda in the name of Rav**, who said that Ezra didn't leave Bavel until he first traced his own genealogy.
  - The Gemara says, Nechemya ben Chachalya came along and completed the listing of the genealogy.

### -----Daf 10--15-----

- The Braisa said that Yehoshua wrote the last 8 pesukim of the Torah and all of Sefer Yehoshua. This follows one view in another Braisa. That Braisa says, the pasuk says "vayamas sham Moshe Eved Hashem". Can it be that Moshe wrote that while he was still alive? Rather, **R' Yehuda or R' Nechemya** said, Moshe wrote all until that pasuk, and Yehoshua wrote from that pasuk until the end. **R' Shimon** said, an earlier pasuk says that Moshe took "the Sefer Torah", which suggests that it was complete already then! Rather, up until the pasuk that tells of Moshe's death, Hashem would dictate what to write, Moshe would repeat it and then write it. From this pasuk on, Hashem would dictate and Moshe would write it with tears (instead of ink).
  - **Q: R' Yehoshua bar Abba in the name of R' Gidal in the name of Rav** said, that the final 8 pesukim in the Torah must be read by one person (one aliyah). Shall we say this does not follow **R' Shimon** (because according to him these pesukim are no different than the rest of the Torah, so there would be no reason to treat them differently)? **A:** Even according to **R' Shimon**, since they were written differently than the rest of the Torah, they are treated differently.
- **Q:** How can the Braisa say that Yehoshua wrote Sefer Yehoshua, when the pasuk in it says "vayamas Yehoshua bin Nun Eved Hashem"? **A:** The Sefer was completed by Elazar the son of Aharon.
  - **Q:** The pasuk says "v'Elazar ben Aharon meis"! **A:** Pinchas completed the Sefer after that.
- **Q:** How can the Braisa say that Shmuel wrote Sefer Shmuel, when the pasuk in it says "u'Shmuel meis"? **A:** The Sefer was completed by Gad Hachozeh and Nosson Hanavi.
- **Q:** The Braisa said that Dovid wrote Tehillim along with 10 Elders, and listed them. Why didn't the Braisa also list Eisan Ha'Ezrachi? **A: Rav** said, Eisan Ha'Ezrachi is Avrohom Avinu, who is already listed.
  - **Q:** The Braisa listed Moshe and Heiman, but **Rav** has said (based on pesukim) that Heiman is Moshe!? **A:** There were two people who were known as Heiman.
- The Braisa said that Moshe wrote Sefer Iyov. This supports **R' Levi bar Lachma**, who says that Iyov lived in the times of Moshe. He learns this from a drasha. The pasuk in Iyov says "mi yitein eifo viyikasvun milai" (which can be darshened to mean that "Eifo" wrote Iyov), and a pasuk regarding Moshe says "uvameh yivada eifo".
  - **Q:** Based on this we should say that he lived in the days of Yitzchak, because the pasuk there says "mi eifo hu hatzad tzayid"! Or in the days of Yaakov, based on the pasuk of "ihm kein eifo zos assu"! Or in the days of Yosef, based on the pasuk of "eifo heim ro'im"! **A:** The pasuk in Iyov says "mi yitein basefer viyuchaku", and Moshe is referred to in a pasuk as "michokeik". Therefore, it must be Moshe.
  - **Rava** said that Iyov lived in the days of the "miraglim", based on a pasuk in Iyuv that says "utz" and a pasuk by the miraglim that says "hayeish bah eitz".



## Daf In Review – Weekly Chazarah

- **Q:** Those are 2 different words!? **A:** Moshe told the miraglim, there is a person (Iyov) living in Eretz Knaan who has lived as long as a tree, and who protects his generation like a tree.
- One of the **Rabanan** darshened to **R' Shmuel bar Nachmeini** and said that Iyov never existed, but was rather a mashal. **Shmuel** said, this cannot be correct, because the pasuk says “there **was** a man in the land of Utz and his name was Iyov”. He answered back, we find that when Nosson Hanavi gave a mashal he also used the term “was”! **Shmuel** said, the fact that the pasuk gave the name of Iyov and the name of his city, it must be that he truly existed.
- **R' Yochanan and R' Elazar** said that Iyov was from those who went up from Bavel to Eretz Yisrael, and his Beis Medrash was in Tverya.
  - **Q:** A Braisa says that the days of the life of Iyov were from the time the Yidden went to Mitzrayim until they left!? **A:** That means that he lived for 210 years, but not that he lived during that time period.
  - **Q:** A Braisa says that the goyim had 7 nevi'im, and it lists Iyov as one of them. This means he was not a Yid, so he could not have been from the people who went up from Bavel!? **A:** The Braisa's list includes Barachel Habuzi, who was clearly a Yid. We must say that although he was a Yid, he said nevu'ah for the goyim. The same can be said about Iyuv.
    - Although all nevi'im said nevu'ah for the goyim, these 7 said their primary nevu'ah for the goyim.
  - **Q:** A Braisa says that Iyuv was from the “righteous goyim of the world”!? **A:** It is actually a machlokes Tanna'im. A Braisa says that **R' Elazar** says Iyuv lived in the days of the Shoftim, **R' Yehoshua ben Karcha** says he lived in the days of Achashveirosh, **R' Nosson** says he lived in the days of the Kingdom of Sheva, the **Chachomim** say he lived in the days of the Kasdim, and **Others** say he lived in the times of Yaakov Avinu and married Dina. Now, all besides the last view must say that Iyuv was a Yid, because Moshe davened that after he die, Hashem should no longer rest his Shechina on goyim, and Hashem granted this request. Therefore, since Iyuv was known to be a navi, he must have been a Yid according to all except the last view.
- **R' Yochanan** said, the generation of Iyuv was immersed in zenus, based on a pasuk in which he gave mussar and used the word “chazisem” (you gazed), referring to zenus.
  - **Q:** Maybe “gazing” refers to nevu'ah, as we find it used in many pesukim (and he was giving mussar for following false nevu'ah)? **A:** The words following that word in the pasuk make more sense if he was referring to zenus.
- **R' Yochanan** said, the pasuk of “vayehi bimei shfot hashoftim” teaches that this was a generation that judged it judges (the judges were corrupt), and anything a judge said to a person was responded to by telling the judge that he was a worse person than the other.
- **R' Shmuel bar Nachmeini in the name of R' Yonason** said, “malkas Sheva” does not refer to the queen, it refers to the Kingdom of Sheva, and to its king.
- The pasuk in Iyuv says that the Malachim came to stand before Hashem and the Satan went along as well. The pasuk says that Hashem asked the Satan from where he was coming, and the Satan said he was coming from wandering (“hishalech”) about the earth. The Gemara explains this to mean that the Satan said to Hashem, “I have searched the entire world and have found no one as loyal as Avrohom Avinu, to whom you promised EY, and yet, he didn't complain when he didn't even have a small piece of land in which to bury Sarah.
  - Hashem said to the Satan, “Have you focused on my servant Iyuv, because there is no one like him in all of the world”. **R' Yochanan** said, the praise Hashem gave to Iyuv was greater than the praise He gave to Avrohom. Regarding Avrohom Hashem said that he is a “yirei Hashem”, and regarding Iyuv He said “ish tam v'yashar yirei Elokim v'sar meirah”. **R' Abba bar Shmuel** explained that “sar meirah” refers to the fact that Iyuv was very easy with his money. If he owed a worker a half perutah, he would give him a full perutah (whereas most people would not give more than the half that was owed).
  - The pasuk says that the Satan said to Hashem, Iyuv is only loyal because of all the bracha and fortune that You have bestowed on him. The pasuk says “maasei yadav beirachta”. **R' Shmuel bar R' Yitzchak**

## Daf In Review – Weekly Chazarah

said, this teaches that anyone who dealt with Iyuv was successful. **R' Yose bar Chanina** said, normally wolves kill sheep. However, Iyuv's sheep would kill the wolves.

- The pasuk says, the Satan said to Hashem, if you afflict all that Iyuv has, then you can see if he is truly loyal. Hashem told the Satan, you can go and attack everything of his, but not him, himself.
- The pasuk says that a messenger came to Iyuv and said that the oxen were plowing, and the donkeys were grazing nearby (immediately after plowing there was already something there for the animals to graze from). **R' Yochanan** said, this teaches that Hashem gave Iyuv a taste of Olam Habbah (where conception and birth happen on the same day).
- The pesukim then tell how messengers came to tell him that all his sheep and servants were killed, all his camels were taken, and all his children were killed. The pasuk says that Iyuv said "Hashem gives and Hashem takes, let the Name of Hashem be blessed".

### -----Daf 10--16-----

- The pasuk says, after all that Iyuv had (his possessions and his children) were taken and killed, Iyuv continued to be loyal to Hashem. The pasuk then says that the Malachim came to stand before Hashem and the Satan went along as well. The pasuk says that Hashem asked the Satan from where he was coming, and the Satan said he was coming from wandering ("hishalech") about the earth. The Gemara explains this to mean that the Satan said to Hashem, "I have searched the entire world and have found no one as loyal as Avrohom Avinu, to whom you promised EY, and yet, he didn't complain when he didn't even have a small piece of land in which to bury Sarah. Hashem said to the Satan, have you looked at Iyuv and seen how loyal and righteous he is even now, and you have therefore caused Me to turn against him for no reason!
  - **R' Yochanan** said, we couldn't say this, but the pasuk is saying that Hashem says He was "convinced" to go along with the plan of the Satan. A Braisa says, the Satan comes down to this world and makes people sin, then goes up to Hashem and causes Him to be angry because of the aveiros, and then gets permission to go and kill the person for having done the aveiros.
- The pasuk continues that the Satan said to Hashem, Iyuv remains loyal with having lost all that he had only because he himself was not hit with physical sufferings. If he were to suffer so, he would turn against You. Hashem told the Satan, you can go and inflict suffering on him, but you may not kill him. The Satan then went and began to do so.
  - **Reish Lakish** darshens the pesukim to teach that the Satan is the Yetzer Harah, who is also the Malach Hamaves.
  - **R' Levi** said, the Satan (in the story of Iyov) and Penina (in the story of Chana) both did what they did for the sake of Heaven. The Satan saw that Hashem "favored" Iyuv, and feared that this may lead Hashem to devalue the zechus of Avrohom for the Yidden, and he therefore wanted to show that Iyuv wasn't as great. Penina would pain Chana about her not having any children to get Chana to daven harder for children. When **R' Acha bar Yaakov** taught this drasha, the Satan came and kissed him on the foot.
- The pasuk says that with all the sufferings, Iyuv "did not sin with his lips" (he did not complain about Hashem).
  - **Rava** said, this teaches that he did not sin with his lips, but he did sin in his heart (he had bad thoughts in his mind). **Rava** darshens a pasuk to mean that Iyuv questioned the authority of Hashem. **Abaye** said that he was questioning the authority of the Satan, not Hashem. We find a Braisa in which **R' Eliezer and R' Yehoshua** argue in exactly the same way.
  - **Rava** darshened a pasuk to mean that Iyuv said to Hashem that tzaddikim and sinners are predestined to be the way they are, with no choice. Iyuv's friends answered him, that the fact that you fear Hashem and daven to Him, you see that your argument is false. Rather, Hashem created the Yetzer Harah, and He created the Torah as its antidote.
  - **Rava** darshened a pasuk to teach that Iyuv would steal fields from orphans, improve them, and then return them to the orphans, thereby earning their praise. Also, whenever there was a widow who no one wanted to marry, he would claim that she is a relative of his, thereby making her desirable to all.

## Daf In Review – Weekly Chazarah

- **Rav** explained a pasuk to mean that Iyuv spoke disrespectfully to Hashem, telling Him that they should decide which of them is right. He explained the pasuk to mean that Iyuv demanded that it is not fair, because Hashem can't be taken to a judge. **Rava** explained another pasuk which says that Iyuv claimed that he never looked at a woman other than his wife. The pasuk teaches that he was not as great as Avrohom Avinu, who we learn from the pasuk did not even look at his own wife. **Rava** darshened another pasuk to teach that Iyuv denied the concept of techiyas hameisim. **Rava** darshened another pasuk to teach that Iyuv angered Hashem using the word "se'arah", when he claimed that maybe a storm went before Hashem and caused Him to confuse the word Iyuv for "oyeiv" (an enemy). Hashem answered him with the word "se'arah", as the pasuk says that Hashem answered from the "se'arah". Hashem said, I create man with many strands of hair, and each one is created with its own hair follicle, because if two hairs were to share one follicle, the person would become blind. I do not confuse one follicle for the other, and yet you think I confused the word Iyuv with oyeiv!? Hashem continued and said, I created countless numbers of drops of rain, each coming from its own place in the clouds, because if two were to come from one place in the clouds, it would make the ground incapable of bearing fruit. I do not confuse the place of each drop, and yet you think I confused the word Iyuv with oyeiv!? Hashem continued and said, I created countless numbers of sounds of thunder, each coming from its own place in the clouds, because if two were to come from one place in the clouds, it would totally destroy the entire world!. I do not confuse the place of each sound, and yet you think I confused the word Iyuv with oyeiv!? Hashem continued and said, the goat is cruel to its offspring. When it is ready to give birth it goes to the top of a mountain so that the baby should come out and fall to its death. I prepare an eagle to fly by at the very second of birth and to catch that baby and put it down in front of its mother. I don't confuse a split second too soon or a split second too late, and you think I confused the word Iyuv and oyeiv!? Hashem continued and said, the "ayala" has a very narrow birth canal. When it is ready to give birth, I prepare a snake to bite her, thereby widening her birth canal and allowing her to give birth. If the snake would come a second too early or late, the ayala would die. I don't confuse a split second too soon or a split second too late, and you think I confused the word Iyuv and oyeiv!?
- The pasuk says that Iyuv spoke without thought. **Rava** said, we see from here that a person is not held accountable for what he says while he is suffering.
- The pasuk says that Iyuv's 3 friends – Elifaz Hateimani, Bildad Hashuchi, and Tzofar Hanaamasi – heard about Iyuv's sufferings, and they met together to feel bad with him and console him.
  - **R' Yehuda** said, a Braisa says they each lived very far from each other, but arrived at the same time. Some say that they heard of the news based on a crown that they each had with pictures of the other 3 on it, and the crown would be able to tell them if one of them was suffering. Others say that they had 3 trees, each with a name of one of the friends, and when the tree with a friend's name on it withered, they knew that that friend must be suffering.
  - A pasuk regarding the times of Noach says, "vayehi ki heicheil ha'adam larov ahl pnei ha'adama uvanos yuldu lahem". **R' Yochanan** explained that the birth of daughters brought more babies being born to the world, and **Reish Lakish** said, that with the birth of daughters came arguments to the world. **Reish Lakish** asked, according to **R' Yochanan** that daughters bring good, why was it that when Iyov was later blessed with 14 sons to replace the 7 that he lost, he was only replaced with 3 daughters for the 3 that he lost? **R' Yochanan** said, they weren't doubled in number, but they were doubled in their beauty.
    - **R' Shimon the son of Rebbi** had a daughter and felt bad (he had wanted a boy). His father told him, the birth of a daughter brings prosperity to the world. **Bar Kappara** told **R' Shimon**, those are empty words of consolation, because a Braisa says, although the world must have boys and girls to exist, lucky is the one who has boys and woe is to the one who has girls.
  - We see this difference in opinion in a Braisa. The Braisa says, the pasuk regarding Avrohom says "VaHashem beirach es Avrohom bakol". What is meant by "bakol"? **R' Meir** says it means that He did not give him a daughter. **R' Yehuda** says it means that He did give him a daughter. **Others** say that he had a daughter whose name was "Bakol". **R' Elazar Hamodai** says that Avrohom knew astrology very well, and all the kings of the world would come to him for advice. **R' Shimon ben Yochai** says, Avrohom

## Daf In Review – Weekly Chazarah

had a precious stone hanging from his neck, and any sick person who looked at it would be healed. When Avrohom died, Hashem put that stone in the sun, which is why the sun has healing powers. We can also say, that he merited that Esav not rebel during his lifetime. We can also say that he merited that Yishmael did teshuva in his lifetime.

- **Q:** How do we know that Esav did not rebel in his lifetime? **A:** The pasuk says that Esav came in from the field and he was hungry. A Braisa says that on that day Avrohom was niftar and Yaakov made a lentil stew to serve as a consolation for Yitzchak.
  - **Q:** Why did he make lentils? **A:** In EY in the name of **Rabbah bar Mari** they said, it is because a lentil, like an avel, has no mouth (he sits quietly). We can also say that just as a lentil is round, so too mourning is something that goes round and is part of the cycle of the world. The difference between these reasons would be whether one can serve eggs for this purpose (they have no mouth, but are not round).
  - **R' Yochanan** darshened pesukim to teach that Esav did 5 aveiros on that day: he was mezaneh with a naarah me'orasa, he murdered, he denied the existence of Hashem, he denied the concept of techiyas hameisim, and he embarrassed the bechorah.
- **Q:** How do we know that Yishmael did teshuva during Avrohom's lifetime? **A:** **Rava** once told **Ravina and R' Chama bar Buzi** that **R' Yochanan** said that we learn from the pasuk that Yishmael did teshuva during his father's lifetime. This can be seen from the fact that he let Yitzchak go before him when they went to bury Avrohom.
- A Braisa says, there were 3 people to whom Hashem gave a taste of Olam Habbah in this world: Avrohom (the pasuk says bakol), Yitzchak (the pasuk says mikol), and Yaakov (the pasuk says kol). There were 3 people over whom the Yetzer Harah had no power: Avrohom (the pasuk says bakol), Yitzchak (the pasuk says mikol), and Yaakov (the pasuk says kol). Some say that Dovid Hamelech also rendered the Yetzer Harah powerless, based on the pasuk of "v'libi chalal b'kirbi" ("my heart died within me", referring to the Yetzer Harah). The other view is that Dovid was referring to his sufferings.

### -----Daf ט"ז--17-----

- A Braisa says, there were 6 people over whom the Malach Hamaves had no power (rather, they died by having their neshamos taken by Hashem directly): Avrohom, Yitzchak, Yaakov (by these 3 the pasuk uses the verbiage of "kol"), Moshe, Aharon, and Miriam (by them it says that their death was "ahl pi Hashem").
  - **Q:** It doesn't say "ahl pi Hashem" by Miriam!? **A:** **R' Elazar** said, Miriam is learned from a gezeirah shava from Moshe, on the word "sham". The reason it doesn't say "ahl pi Hashem" by her is because it would not be proper to write that for a woman.
- A Braisa says, there are 7 people whose bodies are not subject to decomposition: Avrohom, Yitzchak, Yaakov (by these 3 the pasuk uses the verbiage of "kol"), Moshe, Aharon, and Miriam (by them it says that their death was "ahl pi Hashem"), and Binyamin the son of Yaakov (the pasuk regarding him says "yishkon lavetach"). **Some** say that Dovid Hamelech is included in this group as well (based on the pasuk regarding him that says "ahf besari yishkon lavetach"). Those who say he does not belong in this group understands this pasuk as a tefilla to Hashem.
- A Braisa says, there are 4 people who died because of the sin of Adam Harishon (they would otherwise not have been deserving of death): Binyomin the son of Yaakov, Amram the father of Moshe, Yishai the father of Dovid, and Kilav the son of Dovid. They are all known based on a kabbalah, except for Yishai, for whom it learned from a pasuk.

**HADRAN ALACH PEREK HASHUTFIN**

**PEREK LO YACHPOR -- PEREK SHEINI**

## Daf In Review – Weekly Chazarah

- A person may not dig a bor (in his own property) near to the bor of his neighbor, nor dig a ditch, a cave, an irrigation canal, or a square ditch used to collect rainwater for purposes of laundering, unless he keeps it at least 3 tefachim away from the neighbor's wall, and lines his bor, etc. with lime.
  - Olives that remain after being in the press, animal waste, salt, lime, and fire generating stones must be kept at least 3 tefachim away from a neighbor's brick wall, or he must cover the wall with lime.
  - Seeds, the use of a plow, and urine must be kept at least 3 tefachim away from the neighbor's wall.
  - With regard to a mill, it must be kept at least 3 tefachim from the neighbor's wall when measuring from the lower millstone, which is 4 tefachim from the upper millstone.
  - With regard to an oven, it must be kept at least 3 tefachim from the neighbor's wall when measuring from the lower part of the oven, which is 4 tefachim from the upper part of the oven.

### GEMARA

- **Q:** The Mishna begins by saying one may not dig near another bor, and then ends off by saying “unless he keeps it at least 3 tefachim away from the wall”!? **A: Abaye or R' Yehuda** said, the Mishna means that it must be kept 3 tefachim away from the wall of the bor of his neighbor.
  - **Q:** Why didn't the Mishna just say “unless he keeps it 3 tefachim away from the bor”? **A:** The Mishna is teaching us that the standard wall of a bor is 3 tefachim wide. This makes a difference when one sells “a bor with the walls”, in which case he must give 3 tefachim around the bor as well.
- We learned, if someone wants to dig a bor near his boundary (when there is no bor on the other side that would be damaged by his digging), **Abaye** said he can dig the bor all the way to the property line. **Rava** said, he must keep it at least 3 tefachim away from the boundary.
  - If the land he is digging in is used for digging boros, all would agree that he cannot dig within 3 tefachim to the boundary. The machlokes is with land in which a bor is not normally dug. In that case **Abaye** says, since it is not made for digging boros, he may go all the way up to the property line. **Rava** says, he must stay 3 tefachim away, because just like this person decided to dig a bor in this land, the neighbor may decide to do the same.
  - **Others** say that with land in which a bor is not normally dug all would agree that he can dig all the way up to the property line. The machlokes is regarding land in which boros are typically dug. **Abaye** says he may dig all the way by the property line even according to the **Rabanan** who say that one must plant a tree at a minimum of 25 amos from a bor, because in that case the bor is already there. However, in our case there is no other bor, and that is why he can dig all the way by the property line. **Rava** says he may not dig all the way to the property line even according to **R' Yose**, who says that one need not distance his tree from his neighbor's bor, because in that case when he plants the tree there are not yet any roots that will damage the bor. However, in our case, every dig of the shovel weakens the neighbor's property.
    - **Q:** Our Mishna said, “a person may not dig a bor near the bor of his neighbor”. This suggests that the reason he must stay away from the property line is because there is already another bor there. This suggests that if there was no bor already there, he would be permitted to dig all the way to the property line. Now, according to the second version of the machlokes, we can say that the land is the type where boros are not typically dug, and that is why he may dig up to the property line. However, according to the first version of the machlokes, the Mishna fits well according to **Abaye**, but does not fit according to **Rava**!? **A: Rava** would say, we have learned that **Abaye or R' Yehuda** said that our Mishna taught that even the first bor had to leave a wall, which we said is 3 tefachim. This follows **Rava**, who says that a space must be left even between the first bor and the property line.
    - **Others** said the attempted proof differently. We learned that **Abaye or R' Yehuda** said that our Mishna taught that even the first bor had to leave a wall, which we said is 3 tefachim. Now, according to the first version of the machlokes this makes sense, because we will say that the Mishna is talking about land in which boros are typically dug, and all agree that it must be kept away from the property line. However, according to the second version of the machlokes, the

## Daf In Review – Weekly Chazarah

Mishna fits well according to **Rava**, but not according to **Abaye**!? **Abaye** will answer, that the Mishna is discussing where the two neighbors come to dig boros simultaneously. In that case even **Abaye** agrees that they must stay at least 3 tefachim off the property line.

- **Q:** A Braisa says, if the land has soil that is soft enough to be dug by hand, each neighbor may dig near the property line, but must distance 3 tefachim from the property line and apply lime to the bor walls. We see that even the first neighbor to dig must stay 3 tefachim away from the boundary!? **A:** When the soil is soft like that, all would agree that he must distance from the boundary.
  - **Q:** This is an obvious difference, so what was the thought to even bring this as a proof?  
**A:** The thought was that the same halacha would apply to harder soil, and the reason that the Braisa brought down the case of the soft soil was only to show that it doesn't need any *more* than the 3 tefachim.
- **Q:** Our Mishna said, “olives that remain after being in the press, animal waste, salt, lime, and fire generating stones must be kept at least 3 tefachim away from a neighbor's brick wall, or he must cover the wall with lime”. This suggests that the only reason it must be distanced from the boundary is because there is a wall there, but if there was not, he would even be able to use all the way up to the property line!? This refutes **Rava**!? **A:** Even if there was no wall he would have to distance from the property line. The reason the Mishna even mentioned the case of the wall was to teach that these items are damaging to a wall.