



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

### Bava Basra Daf Kuf Samach Daled

- We have learned that **Rav** said, if a shtar has its text and the signatures of the witnesses all written on erased parchment, it is valid.
  - We do not have to be concerned that the shtar was written, erased, written again, and then the text was erased a second time with the holder filling in whatever he wanted above the signature of the witnesses, because it is easy to tell the difference between something that was only erased once and something that was erased multiple times.
  - **Q:** Why are we not concerned that he colored in the place where the signatures were to be and then erased it, and then wrote an entire text and had witnesses sign, and then erased it all and had another text written and witnesses sign (at this point the place of the signatures were erased twice and the place of the text was only erased once), and then went and erased the text only, and wrote whatever he wanted above the signatures? In this way the entire document was erased twice and we can't tell that he did this trick!? **A: Abaye** said, **Rav** holds that witnesses do not sign on erased parchment unless it is erased in front of them.
  - **Q:** A Braisa says, if the text of a shtar is on new parchment and the witnesses sign on a place that was erased, it is valid. Now, according to **Rav** it should not be valid, because we must be concerned that the holder will erase the text above the signatures and write whatever he wants, which will make it a shtar whose text and signatures are on erased parchment, and according to **Rav** would be valid!? **A:** The Braisa would only allow this case when the witnesses write "we have signed on erased parchment, but the text was written on new parchment".
    - **Q:** Where do they write that? If they write it below their signatures, the holder will just cut it off!? If they write it above, he will erase it along with the text!? **A:** They write it between the signatures of the first and second witnesses.
    - **Q:** The Braisa then says, if the witnesses signed on new parchment and the text was written on erased parchment, it is passul. According to what we just said, why is it passul? Let the witnesses write "we have signed on new parchment and the text was written on erased parchment"!? You can't say that we are concerned that the text was erased a second time and rewritten, because we have already established that parchment erased twice looks different than parchment erased once!? **A:** When the witnesses are signed on erased parchment, we can easily compare the erased parchment to the rest of the parchment to determine if the rest was erased more than once. However, when the witnesses signed on new parchment, it cannot serve as a comparison to see if something was erased twice, and therefore we need to be concerned that the text was erased twice.
      - **Q:** Why can't they bring other parchment and erase it, and use that as a comparison to see whether the place of the text was erased once or twice? **A:** Each parchment is somewhat unique in the way it looks when it is erased, and therefore cannot serve as the basis for comparison.
      - **Q:** Why can't they certify the signatures on this document and then erase the signatures so that we can then compare it to the area under the text and determine whether it was erased once or twice? **A: R' Hoshaya** said, an area erased today looks different than an area erased the previous day, and therefore cannot serve as the basis for comparison.

- **Q:** Let them hold onto the shtar for a few days after erasing the signatures so that it ages, and can then serve as a basis for comparison!? **A: R' Yirmiya** said, we are concerned that a Beis Din may mistakenly make the comparison without allowing for it to age, and therefore we don't allow this method of comparison.

R' CHANINA BEN GAMLIEL OMER MEKUSHAR...

- **Q: Rebbi** asked on **R' Chanina ben Gamliel**, the dating system used for regular documents is different than that used for bound documents. An open document would refer to a year as "the second year of King...", whereas a bound document would refer to that same year as "the third year of King...". If so, according to **R' Chanina ben Gamliel** who says that a bound document can be unsewn and used as a regular document, we should be concerned that when one lends money with a bound document and it is paid back within the year, and the lender claims that he lost the document and therefore issues a receipt, he will then unsew the document and collect as if it was a regular document, with the money having been lent after the date of return in the receipt (based on the different dating method)!? **A: R' Chanina** holds that we don't write receipts for a lender, and if the lender cannot produce the loan document to give to the borrower upon payment of the money, he does not get paid.
  - **Q:** This question by **Rebbi** would seem to suggest that **Rebbi** was an expert with the details of a bound document. However, we find a story which shows that **Rebbi** was actually unfamiliar with the dating methodology used for bound documents!? **A:** After that story he became familiar with the details.
- There was a document which was dated as "in the year of ploni archon (a ruler)". **R' Chanina** said that we should check when this ruler was established in power, because that is the year that the document was written.
  - **Q:** Maybe "archon" means to say that the ruler ruled for a long time, not that it was the first year of his rule? **A: R' Hoshaya** said, the custom of this country was to refer to the ruler as archon in his first year of rule, and as "digon" in the second year.
    - **Q:** Maybe he ruled, was removed, and was put back in power, and archon therefore doesn't tell us if it was the first year of his first round as ruler or his second round? **A: R' Yirmiya** said, in his second round he would be referred to as "archon digon".
    - A Braisa says, **Sumchos** says, if a person says "I am hereby a nazir" and adds the word "hein", that means one period of nezirus. Adding the word "digon" means two periods. Adding the word "trigon" means 3 periods. Adding the word "tetragon" means 4 periods. Adding the word "pontigon" means 5 periods of nezirus.
      - A Braisa regarding tzaraas on a house also uses the word "digon" to refer to 2.
- There was once a bound document that was brought to **Rebbi** and he asked where the date was written. His son **Shimon** told him that it is inside the folds. **Rebbi** let **R' Shimon** know that he did not approve of **R' Shimon** having written a bound document instead of a regular document. **R' Shimon** told **Rebbi**, "I did not write it, it was **R' Yehuda Chayata** who wrote it". **Rebbi** told him, you should be staying away from saying this lashon harah.
  - Another time **R' Shimon** was sitting by **Rebbi** when **Rebbi** finished reading one of the sections of Sefer Tehillim. **Rebbi** commented on the beautiful handwriting with which the sefer was written. **R' Shimon** said, "I did not write it, it was **R' Yehuda Chayata** who wrote it". **Rebbi** told him, you should be staying away from saying this lashon harah.
    - **Q:** In the first case there was lashon harah, but in this second case it was a compliment!? **A: Rebbi's** comment was based on **R' Dimi**, who said that one should not even discuss a person's excessive qualities, because it will inevitably lead to discussion of his faults as well.
  - **R' Amram in the name of Rav** said, there are 3 aveiros that a person does every single day – thinking of sinning, feeling confident that his tefillos will be answered because he feels they were davened with a lot of kavanah, and lashon harah.
    - **Q:** Can he say that every person speaks lashon harah every day? **A:** He is referring to "avak lashon harah" (a lesser level of lashon harah).

- **R' Yehuda in the name of Rav** said, most people are suspect of stealing (for at least justifying the taking of something that truly does not belong to them), a minority of people are suspect of being involved with arayos, and all people are suspect of lashon harah.
  - **Q:** Can he say that every person speaks lashon harah? **A:** He is referring to “avak lashon harah” (a lesser level of lashon harah).