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Bava Basra Daf 79

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Rav Yehudah said in the name of Rav: Whosoever separates from the words of the Torah is consumed by fire; for it is said: *And I will set My face against them; out of the fire they have departed and the fire shall devour them.*

When Rav Dimi came he said in the name of Rabbi Yonasan: Whoever separates from the words of the Torah falls into Gehinnom, for it is said: *The man that strays out of the way of understanding shall rest in the congregation of Refaim;* and Refaim must be synonymous with Gehinnom for it is said: *But he knows not that Refaim is there, that her guests are in the depths of Gehinnom.*

The Mishna had stated: He who sold a dump has [also] sold the manure in it, etc.

We learned elsewhere in a *Mishna* that *me'ilah* (misappropriation of Temple property) applies to all consecrated items, whether they are themselves fit as a sacrifice, fit for use in maintenance of the Bais

Hamikdash, or fit for neither. The *Mishna* explains that if one consecrated a pit full of water, a dump full of fertilizer, a dovecote full of doves, a tree with fruit on it, or a field full of vegetation, *me'ilah* applies to the item and its contents. However, if he consecrated these items while empty, but they then were filled up, *me'ilah* applies only to the item, but not to their contents; these are the words of Rabbi Yehudah. Rabbi Yosi says that if one consecrated a field or tree, *me'ilah* applies to it and its produce, as they are direct products of something sanctified.

It has been taught in a braisa: Rebbe said: The words of Rabbi Yehudah appear correct in [the case of] a pit and a dovecote, and the words of Rabbi Yosi in [the case of] a field and a tree.

The Gemora asks: How [do you understand] that? It is quite correct [for Rebbe to say that] ‘the opinion of Rabbi Yehudah appears correct in [the case of] a pit and a dovecote’ and thus to imply that he disagrees with him

in [the case of] a field and a tree; but [as regards the expression], 'the words of Rabbi Yosi appear correct in [the case of] a field and a tree,' which implies that he disagrees [with him in [the case of] a pit and a dovecote, surely Rabbi Yosi speaks [only] of a field and a tree!? And if you would reply that [Rabbi Yosi] argues in accordance with the views of Rabbi Yehudah [and that he himself is in entire disagreement with them], surely it has been taught: Rabbi Yosi said: I do not accept Rabbi Yehudah's viewpoint on a field and a tree, because these are the products of consecrated objects. [This clearly proves that] only in the case of field and tree he does not accept, but regarding [the case of] a pit and dovecote he does accept!?

The Gemora answers: This [is what Rebbe implied: The opinion of Rabbi Yehudah is acceptable to Rabbi Yosi in [the case of] a pit and a dovecote, because even Rabbi Yosi disagreed with him only on field and tree, but regarding a pit and dovecote he agrees with him.

Our Rabbis taught: If one dedicated them empty, and subsequently they were filled, the law of *me'ilah* is applicable to them but not to their contents. Rabbi Elozar the son of

Rabbi Shimon says: The law of *me'ilah* is applicable to their contents also.

Rabbah said: The dispute has reference to field and tree, for the first Tanna holds the same opinion as Rabbi Yehudah, and Rabbi Elozar the son of Rabbi Shimon is of the same opinion as Rabbi Yosi; but regarding [the case of] a pit and dovecote, both agree that the law of *me'ilah* applies to them and not to their contents.

Abaye said to him: But surely it has been taught: If one dedicated them when full, *me'ilah* is applicable to them and to their contents, and Rabbi Elozar the son of Rabbi Shimon reverses [his previous view]. Now, if [the dispute has reference] to a field and tree, why does he reverse [his view]?

Consequently, Rabbah said: The dispute has reference to a pit and dovecote, but [regarding the case of] field and tree, both agree that they and their contents are subject to the law of *me'ilah*.

On what principle do they differ when the pit and dovecote are empty, and on what principle do they differ when the pit and dovecote are full? When [the pit and dovecote are] empty, the dispute is

analogous to that of Rabbi Meir and the Rabbis. For the first Tanna is of the same opinion as the Rabbis who said no one can hand over possession of a thing that does not exist, while Rabbi Elozar the son of Rabbi Shimon is of the same opinion as Rabbi Meir who said that one can hand over possession of a thing that does not exist.

The Gemora asks: [But] I can say that where has Rabbi Meir been heard [to express his view? Only in the case, for example, as that of fruits of a date tree, because they generally come (into the world), but [as to] these, who can assert that they will come?

Rava said: It is possible when water runs through his [own] courtyard into the pit and when doves come through his dovecote into the [dedicated] dovecote.

And in what case do they differ when [the pit and dovecote are] full? Rava said: For example, when he dedicated a pit without mentioning its contents; and Rabbi Elozar the son of Rabbi Shimon holds the same opinion as his father who said: We may infer the law concerning sacred property from the ordinary law. As [in the case of] ordinary law one can say, "I sold you a pit, I did not sell you water," so [in the case of] the law concerning

sacred things [one can say], "I dedicated the pit, I did not dedicate the water."

The Gemora asks: But [can it be said that in] the ordinary law [the water is] not [implicitly sold]? Surely we learned in a Mishna: He who sold a pit has also sold its water?

Rava replied: This Mishna represents an individual opinion; for it has been taught: He who sold a pit has not sold its water. Rabbi Nassan said: He who sold a pit has sold its water.