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Bava Basra Daf 98

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Daf Notes is currently being dedicated to the neshamot of

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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

If one sells wine to another and it turns sour, he is not responsible, but if his wine is known to turn sour, the purchase is one based on error. If he said to him, “Wine that is sweet I am selling to you,” he is responsible for its preservation until Shavuot, and [if he said, “I sell you] old wine,” he must supply wine of the previous year; [if] aged wine, he must supply wine of three years standing.

Rabbi Yosi, son of Rabbi Chanina, said: [The law in] our Mishnah is applicable only [to the case where the wine is] in the jugs of the buyer, but [where it is] in the jugs of the seller [the former] can say to him, “Take your wine and take your jug.”

The Gemora asks: But what does it matter [even] if the jugs are the seller's? Let him say to [the buyer], “You should not have kept it so long!”

The Gemora answers: The law [mentioned] is applicable [to the case] where [the buyer] said to him [that he required the wine] for cooking (where only small quantities at a time are used, and the wine has to be kept for a long time).

The Gemora asks: But what compels Rabbi Yosi, son of Rabbi Chanina, to explain our Mishnah as treating of the case where the jugs belong to the buyer and that he [specially] says [to the seller that he requires the

wine] for cooking? Let him rather explain that it treats [even] of [the case where the] jugs belong to the seller and where [the buyer] does not say to him [that he requires the wine] for cooking?

Rava replied: Our Mishnah presented to him a difficulty, for it teaches: If his wine is known to turn sour, the purchase is one based on error, why [Rabbi Yosi asked,] should that be so? Let [the seller] tell him, “You should not have kept it so long!”? From this, then, it must be inferred that [the buyer specifically] said to him [that he required the wine] for cooking.

The Gemora notes: This view is in disagreement with that of Rabbi Chiya bar Yosef, for Rabbi Chiya bar Yosef said: The condition of] wine depends on its owner's destiny, for it is said: And certainly, wine is treacherous if the man is haughty, etc.

Rav Mari said: One who is arrogant is not acceptable even to his own household, for it is said. An arrogant man, and his abode will not endure. What does it mean that his abode will not endure? [He will not be respected] even in his own abode.

Rav Yehudah said in the name of Rav: Anyone who is not a scholar, and glorifies himself in the scholar's cloak (by donning it), will not be admitted within the circle of the Holy One, Blessed be He; [for] here it is



written: and his abode will not endure, and there it is written: to your holy abode.

Rava said: If a man sold a jug of wine to a shopkeeper with the intention to retail it and when [there still remained] a half or a third, it turned sour, the law is that he must take it back from him. This, however, applies only to the case where [the shopkeeper] has not changed the bung-hole, but not [to the case] where he has changed the bung-hole. [Furthermore,] this applies only to the case where the market day has not [yet] arrived, but not [to the case where] the market day has [already] arrived.

Rava further stated: If a man accepted wine for the purpose of taking it to the port of Val-Shafat, and by the time he arrived there, the price fell, the law is that the owner must accept it.

The question was raised: What is the law if it turned into vinegar?

Rav Hillel said to Rav Ashi: When we were at Rav Kahana's he said to us: [In the case when it has turned into] vinegar, [the owner is] not [to bear all the loss], for [the law] is not in accordance with [the opinion of] Rabbi Yosi, son of Rabbi Chanina.

Others Say: Even [when it has turned into] vinegar, [the seller] must also bear [all the loss] in accordance with [the opinion of] Rabbi Yosi, son of Rabbi Chanina.

The Mishnah had said: old wine, he must supply wine of the previous year.

A Tanna taught: [If wine was sold as 'very old'], it must be capable of standing (without spoiling) until Sukkos.

If one sells a place to another or accepts one from another for the purpose of building on it a wedding house for his son, or a widowhood-house for his daughter, it is to be built [in the dimensions of no less than] four cubits by six; these are the words of Rabbi Akiva. Rabbi Yishmael said: this is [nothing but] a cattle barn!

He who desires to erect a cattle barn, is to build [it in the dimensions of no less than] four cubits by six; a small house, six by eight; a big [one], eight by ten; a hall, ten by ten. The height [of any of these, must be] half its length and half its width. Proof of this — Rabban Shimon ben Gamliel said: like the Temple structure.

The Gemora asks: Why has it been stated: a wedding house for his son or a widow house for his daughter, and not 'a wedding house for his son or daughter, or a widowhood-house for his son or daughter'?

The Gemora answers: [By this the Mishnah] has taught us incidentally that it is not the [proper] way for a son-in-law to live at the house of his father-in-law; as it is written in the book of Ben Sira: I have weighed all things in the scale of the balance and found nothing lighter than bran; lighter than bran is a son-in-law who lives in the house of his father-in-law; lighter than [such] a son-in-law is a guest [who] brings in [with him another] guest; and lighter than such a guest [is he who] replies before he hears [the question], for it is written: He that gives an answer before he hears, it is folly and an embarrassment to him.

The Mishna had stated: Rabbi Yishmael said: this is [nothing but] a cattle barn! He who desires to erect a cattle barn etc.

The Gemora asks: Who is the author of [the statement on] the cattle barn?

Some say the author is Rabbi Yishmael, and some say Rabbi Akiva is the author. Those who say Rabbi Akiva is the author explain it as follows: Although [the size] is [that of] a cattle barn, one sometimes makes his dwelling [as small] as a cattle barn. And those who say Rabbi Yishmael is the author, explain it as follows: Because he who desires to erect a cattle barn makes [it] four cubits by six.

The Mishnah had stated: A hall [traklin], ten by ten. What is the meaning of traklin? A pavilion adorned with roses.

It was taught: A kanteir [contains] twelve [cubits] by twelve.

What is a kanteir? The front-court of a mansion.

The Mishnah had stated: The height [of any of these, must be] half its length and half its width. Proof of this — Rabban Shimon ben Gamliel said: like the Temple structure.

The Gemora asks: Who taught: Proof of this. . .?

Some say Rabban Shimon ben Gamliel taught it; and this is the purport of what has been said: From where is the proof to this? Rabban Shimon ben Gamliel said:

All [dimensions must be in proportion] like [those of] the Temple structure. And some say that the first Tanna has taught this, and Rabban Shimon ben Gamliel is astonished [at it] and says to him [to the first Tanna] as follows: Where is the proof? [Is it] from the Temple structure? Does everybody make [houses] like the Temple structure?

It was taught: Others say [that] its height [must be] equal to [the length of] its beams.

The Gemora asks: Let it [then] be said [simply]: The height [must be] equal to its width!

The Gemora answers: If you wish, it can be said [that] a house is wider at the top; and, if preferred, it can be said [the expression 'equal to the length of its beams' is necessary] because there are apertures [in the wall in which the beams are fixed].