

22.2.2; 18a (ת"ש מרחיקין את האילן מן הבור) → 19a (צריכא - צריכא)

1. יגיד עליו רעו מקנה אף על עולה: איוב פרק לו פסוק לג

- I Continuation of analysis of רבא/רבי
- a *Proof*: ruling that a tree may not be planted within 25 אמה from a pre-existent cistern
- i *Implication*: if there were no cistern, no need to distance
- 1 *Rejection*: even with no cistern, must move 25 אמה away (from boundary)
- (a) *Justification*: teaches that root damage has a reach of 25 אמה
- ii *Challenge*: latter clause allows that if the tree was there first, he need not cut it down
- 1 *Implication*: he was allowed to plant it closer if there was no pre-existent בור
- 2 *Defense*: case where the field was originally one - with the tree - and someone bought half.
- b *Proof*: ruling that soaking vats must be distanced from vegetables, leeks from onions, mustard from bees
- i (reason for bees/mustard: bees eat mustard seed, it sharpens their appetite and they eat their own honey- רש"י)
- ii *Implication*: if there were no vegetables (e.g.), he could put his soaking vat on the boundary
- 1 *Rejection*: even with no vat, he may not do so -
- (a) *Justification*: teaches that these things harm each other
- iii *challenge*: ר' יוסי permits mustard near bees, as mustard-sower can say to apiast - "distance your bees from my חרדל"
- 1 *implication*: he must be allowed to plant on border if done first
- 2 *defense*: (as above) - originally one area, with mustard, and it was sold in halves
- (a) *question*: if so, what would be reasoning of רבנן OR ר' יוסי (not dissenting in re: vegetables/soaking vat)?
- iv *Explanation of dispute*:
- 1 *רבנן*: the perpetrator must distance himself
- (a) *Implication*: ר' יוסי holds that the victim must distance himself
- (b) *Challenge*: if so, ר"י should hold the same in re: vegetables/soaking vat, leeks/onions
- 2 *Rather*: ר' יוסי agrees that the perpetrator must distance himself
- (a) *Dispute*: he distinguishes between the first 2 cases, where damage is unidirectional, and bees/mustard where they damage each other
- (b) *Response*: bees don't damage mustard; they can't find the grains and the leaves grow back
- 3 *Challenge*: ר' יוסי cannot maintain that the perpetrator must distance himself
- (a) *Support*: even if a cistern was in place before the neighbor planted his tree, he needn't cut it down
- 4 *Rather*: ר' יוסי maintains that the victim must distance himself
- (a) *And*: his retort is according to רבנן's position:
- (i) *His own position*: would be to allow leeks/onions etc.
- (ii) *But*: to רבנן, they should agree that since bees and mustard harm each other, neither can force distance
1. (response: as above - bees don't harm mustard)
- II Analysis of next component in first clause in משנה - must distance laundry pool ג'ט from wall
- a *Qualification*: only if it is a soaking vat; if it is the pool used to process laundry (with splashing) - ל"א
- III Analysis of end of first clause - must distance and/or plaster
- a *Question*: is it "and plaster" or "or plaster"? (see תוס' יז. ד"ה וסד)
- i *Answer*: must be "and plaster", else 1st and 2nd clauses (2nd clause reads "or plaster") could have been taught as one
- 1 *Rejection*: perhaps they were taught separately due to the difference in their types of damage - water/heat
- ii *Challenge*: בריתא where soft earth requires distance and plastering → regular earth doesn't require both
- 1 *Rejection*: regular earth may require both; בריתא taught to show that even soft earth only requires ג'ט
- IV Analysis of 2nd clause - olive remains, manure, salt, lime, boulders
- a *Challenge*: (שבט ד:א) משנה lists same for forbidden materials for הטמנה - but "boulders" are missing, and "sand" is there
- i *Answer1* (ר' יוסף): people don't generally bury in boulders
- 1 *Challenge* (אב"י): that משנה also lists wool strips etc. - which aren't usually used, rather
- ii *Answer2* (אב"י): v. 1 - each applies to both (boulders and sand in both cases)
- 1 *Challenge* (רבא): if so, let the complete list be presented in one case and have one example in the other, rather
- iii *Answer3* (רבא): boulders scratch/break the pot (wouldn't be used at all) and sand only intensifies the local temperature - therefore, would insulate heat of cooked item (listed there) but wouldn't harm wall (would be cold)
- 1 *Challenge*: ר' אושעיא (in his בריתא) includes "sand" (*answer*: that's wet sand)
- (a) *Response*: if so, let our תנא list sand and we could explain it as wet sand (*answer*: we already have אמת המים)
- (b) *And*: אמת המים and נברכת הכובסין are both necessary, as one is always there, the other is stagnant