



A בס"ד

Intro

Today we will Be"H learn דף ק"ב of בבא בתרא.  
Some of the topics we will learn about include:

המוצא מת

If someone encounters a corpse in an area not known to contain corpses, whether  
נוטלו ואת תפוסתו

It is treated as a proper grave, and the surrounding dirt  
also transmits טומאה, OR

הרי זו שכונת קברות

We suspect that there was a cemetery located in this spot?

This may depend

מצא אחת, שתיים, שלש

Whether he found one, two, or three corpses;

מושכב כדרכו

If it was lying in the usual manner, or if it was mutilated or  
in a sitting position;

יש ביניהן

If they are all within an area consistent with the way  
burial chambers were used;

מצאן רצופין

If they were buried closer together than the usual manner,  
whether we assume some bodies were interred  
temporarily?

A

## המוצא מת

נוטלו ואת תפוסתו  
הרי זו שכונת קברות

מצא אחת, שתיים, שלש  
מושכב כדרכו

יש ביניהן  
מצאן רצופין

## 1 So let's review...

The Gemara cites a Mishnah in מסכת אהלות related to our Mishnah on ק"א:

המוצא מת מושכב כדרכו

If someone found one corpse buried in the usual manner, and he wishes to use טהרות in this area;

נוטלו ואת תפוסתו

As the Rashbam explains;

נוטלו

He may move the corpse, because we have no reason to assume that this was a cemetery. Rather, we assume that this person was buried in a random spot, because it was not possible to reach a cemetery at the time. However, ואת תפוסתו

He must take along the soft dirt surrounding the corpse and three טפחים of undisturbed dirt from under it, which are treated as רקב, matter from the decaying corpse, as per a תקנת חכמים whenever a corpse is disinterred from a proper grave, and in this case this is considered a proper grave, because he apparently had a proper burial, since he was found כדרכו מושכב כדרכו.

The Rashbam infers however;

אם הוא הרג

שמצאוהו מגויד

לא קנה מקומו כלל

If the corpse was mutilated, he does not have to take along תפוסתו, and only the corpse itself transmits טומאה, because איכא למימר

שם נהרג ונפל

We assume he was murdered and just left there, and not intentionally buried there. Therefore, it is not considered a proper grave.

## 1

מלך

## המוצא מת מושכב כדרכו

If someone found one corpse buried in the usual manner, and he wishes to use טהרות in this area;

## נוטלו ואת תפוסתו

As the Rashbam explains;

נוטלו

He may move the corpse, because we have no reason to assume that this was a cemetery. Rather, we assume that this person was buried in a random spot, because it was not possible to reach a cemetery at the time.

However,

ואת תפוסתו

He must take along the soft dirt surrounding the corpse and three טפחים of undisturbed dirt from under it, which are treated as רקב, matter from the decaying corpse, as per a תקנת חכמים whenever a corpse is disinterred from a proper grave, and in this case this is considered a proper grave, because he apparently had a proper burial, since he was found כדרכו מושכב כדרכו.

However;

אם הוא הרג – שמצאוהו מגויד

לא קנה מקומו כלל

If the corpse was mutilated, there is no תפוסתו, and only the corpse itself transmits טומאה, because איכא למימר שם נהרג ונפל

We assume he was murdered and just left there. Therefore, it is not considered a proper grave.



- 2 Similarly,  
אם לא מושכב חלל יושב  
אלא יושב  
או אינו כדרכו  
שראשו מונח לו בין ירכותיו  
אין לו תפוסה  
If the corpse was in a sitting position or with its head  
between its knees, or in any other unusual position, he  
does not have to take along תפוסתו, because  
איכא לספוקי בעכו"ם  
We suspect the corpse to be that of a non-Jew; or  
אי נמי אם ישראל הוא  
באקראי בעלמא השליכוהו לשם  
עד שיהא להם פנאי ויטלוהו מכאן לקברו בבית הקברות  
הלכך אין להם לא תפוסה  
Even if the corpse is that of a Jew, we assume that he was  
interred only temporarily, and it was not a proper burial.  
Therefore, it is not considered a proper grave, and the  
surrounding dirt does not transmit טומאה.

- 2 Similarly,  
אם לא מושכב חלל יושב  
או אינו כדרכו שראשו מונח לו בין ירכותיו  
אין לו תפוסה  
*If the corpse was in a sitting position or with its head  
between its knees, or in any other unusual position,  
he does not have to take along תפוסתו,  
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עד שיהא להם פנאי ויטלוהו מכאן לקברו בבית הקברות  
הלכך אין להם לא תפוסה*  
*Even if the corpse is that of a Jew, we assume that he was  
interred only temporarily, and it was not a proper burial.  
Therefore, it is not considered a proper grave, and the  
surrounding dirt does not transmit טומאה.*



3 The Mishnah continues:  
שנים  
נוטלן ואת תפוסתן  
If he finds two such corpses, the same Halachah applies,  
and we do not assume that this was part of a cemetery.

However,  
מצא שלשה  
If he finds three such corpses,  
אם יש ביניהן  
מארבע עד שמונה  
הרי זו שכונת קברות  
If they are all within an area of four to eight אמות, we  
suspect that this is part of a cemetery.

And as the Rashbam explains, therefore,  
ולא יטלם מכאן דקנו מקומן  
He may not move them from here.  
The Rashbam continues to explain;  
סבירא ליה להאי תנא  
'תוכה של מערה ד' אמות על ח'  
This תנא holds that a burial chamber measures 4 x 8. And,  
סבירא ליה  
שג' מתים נקברים  
בכותל רחבה ד' אמות  
ובכותל הארוך ח' אמות  
'יקבור ו' מתים'  
He holds that three bodies were interred in the width, one  
אמה per grave with two טפחים between graves; and  
according to this calculation, six bodies fit in the length.  
Therefore, when the three corpses are found in an area of  
four to eight אמות, this might be the width of a burial  
chamber, or it might be the unfilled length of a chamber.

3 שנים  
נוטלן ואת תפוסתן  
If he finds two such corpses, the same Halachah applies,  
and we do not assume that this was part of a cemetery.

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and according to this calculation,  
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Therefore, when the three corpses are found  
in an area of four to eight אמות,  
this might be the width of a burial chamber,  
or it might be the unfilled length of a chamber.



#### 4 The Gemara now determines the authorship of that Mishnah:

Our Mishnah earlier cited a מחלוקת:

The רבנן hold

עושה תוכה של מערה

ד' אמות על שש

A burial cave measures 4 x 6 אמות.

רבי שמעון אומר

עושה תוכה של מערה

שש אמות על שמונה

A burial cave measures 6 x 8 אמות.

The Gemara asks

מארבע ועד שמונה מני

Who is of the opinion that a burial cave measures 4 x 8?

אי רבנן

הא אמרי ד' אמות על שש

אי רבי שמעון

הא אמר שש על שמונה

The רבנן hold that the cave is 4 x 6, and רבי שמעון holds the cave is 6 x 8?

The Gemara answers

רבי שמעון היא

It reflects the opinion of רבי שמעון בן רבי שמעון, according to רבי יהודה, who recorded a different version in the following ברייתא:

מצאן רצופין

'ואין ביניהן מד' אמות עד ח'

If the bodies were not spaced in the usual manner, but closer together in an area of less than four to eight אמות; יש להן תפוסה

ואין להן שכונת קברות

They are considered proper graves and the surrounding dirt transmits טומאה, but we do not suspect this area to be part of a cemetery and they may be moved.

As the Gemara explains

כיון דמינוול

לא מקרי קבר

Since it is disrespectful for the deceased to be buried so close together, we do not suspect that this is part of a cemetery, but that all these corpses were interred temporarily.

#### 4

Our Mishnah earlier cited a מחלוקת:

רבי שמעון  
עושה תוכה  
של מערה  
שש אמות  
על שמונה

A burial cave  
measures 6 x 8 אמות.

רבנן  
עושה תוכה  
של מערה  
ד' אמות  
על שש

A burial cave  
measures 4 x 6 אמות.



מארבע ועד שמונה  
מני

אי רבנן  
הא אמרי ד' אמות על שש  
אי רבי שמעון  
הא אמר שש על שמונה

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They are considered proper graves and the surrounding dirt transmits טומאה, but we do not suspect this area to be part of a cemetery and they may be moved.

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כיון דמינוול

לא מקרי קבר

Since it is disrespectful for the deceased to be buried so close together, we do not suspect that this is part of a cemetery, but that all these corpses were interred temporarily.



5

However,

רבי שמעון בן יהודה אומר משום רבי שמעון  
רואין את האמצעיים כאילו אינן  
והשאר מצטרפין  
'מד' אמות ועד ח'

Even though they were buried closer together than the  
usual manner, we still suspect that this was a burial cave  
and part of a cemetery, and we disregard the intermediate  
bodies, assuming that only they were interred  
temporarily.

As the Gemara explains

זימנין דמיתרמא ליה בין השמשות  
ומיקרי ומנחי ליה

It is possible that they were rushed early Friday night and  
interred the body temporarily, with the intention of  
burying it properly after Shabbos;

ושמא נאנס או שכח

And they were then unable to move the bodies, or they  
might have forgotten.

=====

5

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Even though they were buried closer together than the  
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ושמא נאנס או שכח

And they were then unable to move the bodies,  
or they might have forgotten.



- 6 The Gemara now deals with the next section of the Mishnah:  
The Mishnah rules  
ובודק ממנו ולהלן עשרים אמה  
We search twenty אמות further from these three graves to  
see if there are any additional graves in the area. The  
Rashbam explains  
אורך מערה  
וחצר ביניהם  
ומערה כנגדה  
We must search the length of the suspected chamber, plus  
the courtyard between chambers, and the length of the  
opposite chamber. The Gemara will soon explain how  
this measures 20 אמות. Additionally,  
איכא לספוקי  
שמה זהו אורך המערה  
We suspect these bodies are buried along the length of the  
chamber, and we must search across the width of the  
possible chamber as well.  
Furthermore,  
צריך לבדוק מד' רוחותיו  
We must search the entire surrounding area in all  
directions, for all four chambers of a crypt, taking into  
consideration the possibility that these corpses were  
buried in any part of one of the chambers.

- 6
- ובודק ממנו ולהלן עשרים אמה**  
We search twenty אמות from these three graves  
to see if there are any additional graves  
in the area.
- The Rashbam explains*  
**אורך מערה – וחצר ביניהם – ומערה כנגדה**  
We search the length of the suspected chamber,  
plus the courtyard between chambers,  
and the length of the opposite chamber.
- Additionally,*  
**איכא לספוקי**  
**שמה זהו אורך המערה**  
We suspect these bodies are buried  
along the length of the chamber,  
and we must search across the width  
of the possible chamber as well.
- Furthermore,*  
**צריך לבדוק מד' רוחותיו**  
We must search the surrounding area in all directions,  
for all four chambers of a crypt,  
taking into consideration the possibility  
that these corpses were buried in any part  
of one of the chambers.





7

The Mishnah continues

מצא אחד בסוף עשרים אמה

בודק ממנו ולהלן כ' אמה

If he found another corpse within twenty אמות, he must then search another twenty אמות further, as the Mishnah explains

שרגלים לדבר

A corpse at a distance of twenty feet is only considered part of the cemetery due to the proximity to the other corpses; otherwise,

שאילו מתחלה מצאו

נוטלו ואת תפוסתו

If the corpse was found alone, it would be considered an isolated grave.

The Gemara questions the twenty אמות:

אי רבי שמעון

עשרים ותרתי הויין

According to רבי שמעון, who holds that a burial cave measures 6x8, the length of two chambers plus the courtyard of 6x6 measures 22 אמות?

אי רבנן

תמני סרי הויין

According to the רבנן, who hold that the burial cave measures 4x6, the length of two chambers plus the courtyard measures 18 אמות?

The Gemara suggests two possibilities:

1.

רישא רבי שמעון

וסיפא רבנן

וכגון דבדק באלכסונא

The רישא says that the cave measured 4x8, and is the opinion of רבי שמעון cited in the ברייתא. However, the סיפא reflects the opinion of the רבנן. However, to ensure that no graves were missed, the length was searched on the diagonal, which measures eight אמות. However,

חדא באלכסונא אמרינן

תרי באלכסון לא אמרינן

They did not require checking the second chamber on a diagonal. Therefore, they searched eight אמות for the first chamber, six for the courtyard, and six for the second chamber, totaling 20 אמות.

7

מלך

## מצא אחד בסוף עשרים אמה בודק ממנו ולהלן כ' אמה

If he found another corpse within twenty אמות, he must then search another twenty אמות further,

as the Mishnah explains

### שרגלים לדבר

A corpse at a distance of twenty feet is only considered part of the cemetery due to the proximity to the other corpses;

otherwise,

### שאילו מתחלה מצאו

### נוטלו ואת תפוסתו

If the corpse was found alone, it would be considered an isolated grave.



## אי רבנן תמני סרי הויין

According to the רבנן, who hold that the burial cave measures 4x6, the length of two chambers plus the courtyard measures 18 אמות?

## אי רבי שמעון עשרים ותרתי הויין

According to רבי שמעון, who holds that a burial cave measures 6x8, the length of two chambers plus the courtyard of 6x6 measures 22 אמות?

1

## רישא רבי שמעון – וסיפא רבנן וכגון דבדק באלכסונא

The רישא says that the cave measured 4x8, and is the opinion of רבי שמעון cited in the ברייתא. However, the סיפא reflects the opinion of the רבנן. However, to ensure that no graves were missed, the length was searched on the diagonal, which measures eight אמות.

However,

## חדא באלכסונא אמרינן תרי באלכסון לא אמרינן

They did not require checking the second chamber on a diagonal. Therefore, they searched eight אמות for the first chamber, six for the courtyard, and six for the second chamber, totaling 20 אמות.





8

2.

רבי שמעון היא  
והב"ע בניפלי

The סיפא is also the opinion of רבי שמעון, but we are discussing where he found three bodies of stillborn fetuses, and so we assume the chamber was only six אמות long. Nevertheless,

חדא בניפלי אמרינן

תרתי בניפלי לא אמרינן

We do not assume that two chambers were needed for fetuses, and so the second chamber is assumed to be the usual eight אמות long, totaling 20 אמות.

הדרן עלך המוכר פירות

We have B"h completed the sixth Perek of בבא בתרא, and in the next Shiur we will begin the seventh Perek, בית כור, B'eZRas Hashem

8

1

## רבי שמעון היא והב"ע בניפלי

The סיפא is also the opinion of רבי שמעון, but we are discussing where he found three bodies of stillborn fetuses, and so we assume the chamber was only six אמות long.

Nevertheless,

## חדא בניפלי אמרינן תרתי בניפלי לא אמרינן

We do not assume that two chambers were needed for fetuses, and so the second chamber is assumed to be the usual eight אמות long, totaling 20 אמות.

הדרן עלך המוכר פירות