

**A** בס"ד  
Intro  
Today we will learn בע"ה of בבא בתרא פ' דף פ'  
Some of the topics we will learn about include.

The Mishnah's Halachah of

הלוקח פירות שובך מחבירו  
מפריח בריכה ראשונה

If a person bought the newborn hatchlings of someone's dovecote for the duration of one year, the seller retains the parental doves and also their offspring, the first pair of the second and third generation, because as the Rashbam explains

זו הוא קיום השובך

This is to ensure the continuity of the dovecote.

The Mishnah's Halachah of

פירות כוורת  
נוטל ג' נחילים  
ומסרס

If a person bought the newborn bees of someone's beehive for one year, the buyer receives only three batches of bees, because people generally only produce three batches because the later batches are inferior.

Therefore, the seller prevents the parent bees from producing more bees, so that they should instead produce honey. And he may do so, because as the Rashbam explains

הדבש של מוכר הוא

The seller owns the rights to the honey.

The Mishnah's Halachah of

חלות דבש  
מניח ב' חלות

If a person bought only the honeycombs of someone's beehive, but not the bees, the seller retains two honeycombs to sustain his bees during the winter months, when they don't produce any honey.

**B** The discussion regarding  
דבש בכורת  
Honey inside the beehive, is the honey considered מאכל  
טמא, food for human consumption, and it can become טמא  
אדם, OR the honey is not considered a אוכל, and it cannot  
become טמא?  
Something that is not an אוכל ומשקה, or a כלי, a utensil, or  
אדם, a person, cannot become טמא.

The מחלוקת רבי אליעזר וחכמים regarding

כוורת דבורים  
הרי היא כקרקע

Whether the beehive and the honey inside are considered land that cannot become טמא?

The Mishnah's Halachah of

זיתים לקוץ  
מניח שתי גרופיות

If a person bought someone's olive trees to chop down, the buyer must leave over the lower part of the tree with two branches so that the tree can rejuvenate, and the Braisa elaborates on various trees, from what point does the buyer chop them down.

**A**  
הלוקח פירות שובך מחבירו  
מפריח בריכה ראשונה

פירות כוורת  
נוטל ג' נחילים  
ומסרס

חלות דבש  
מניח ב' חלות

**B**  
דבש בכורת  
כוורת דבורים  
הרי היא כקרקע  
זיתים לקוץ  
מניח שתי גרופיות

1 So let's review ...

Zugt Di Mishnah

הלוקח פירות שובך מחבירו  
מפריח בריכה ראשונה

If a person bought the newborn hatchlings of someone's dovecote for the duration of one year, the buyer must leave the parental doves and also their first pair of the דור שני, the second generation, to the seller, because as the Rashbam explains

זו הוא קיום השובך

This is to ensure the continuity of the dovecote, in that דמיצטוותא אברתא ואזוגא דשבקינן לה

The mother dove will remain in the dovecote because she has two kinds of companionship, her children and her mate.

However, if the buyer would take all the offspring, the mother dove might abandon the dovecote which the seller is entitled to retain, as the dovecote was not sold.

1

מאריך

## הלוקח פירות שובך מחבירו מפריח בריכה ראשונה

*If a person bought the newborn hatchlings of someone's dovecote for the duration of one year, the buyer must leave the parental doves and also their first pair of the second generation, to the seller,*

*because as the Rashbam explains*

*זו הוא קיום השובך*

*This is to ensure the continuity of the dovecote, in that*

*דמיצטוותא אברתא ואזוגא דשבקינן לה*

*The mother dove will remain in the dovecote because she has two kinds of companionship, her children and her mate.*

*However, if the buyer took all the offspring, the mother dove might abandon the dovecote which the seller is entitled to retain, as the dovecote was not sold.*

2

The Braisa adds

בריכה ראשונה ושניה

Aside for the pair of the שני דור, the seller also retains their offspring, the first pair of the שלישי דור, the third generation, because

דמיצטוונתא

אברתא ואזוגא דשבקינן לה

The second-generation mother will remain to enjoy her two kinds of companionship, her children and her mate.

And although the second-generation mother also has a second companion, her own mother, she would not remain for the companionship of her mother and mate alone, because

אמה אברתא מיצטוונתא

ברתא אאמה לא מיצטוונתא

A mother is completely attached to her daughter, but a daughter is not completely attached to her mother.

The Rashbam adds, that although the שלישי דור mother does not have the companionship of her own children, she would still remain in the שובך, because

דאיכא ג' חבורות

She has three kinds of companionship, her mate, her mother, and her grandmother.

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2

ברייתא

## בריכה ראשונה ושניה

Aside for the pair of the שני דור, the seller also retains their offspring, the first pair of שלישי דור, the third generation,

because

## דמיצטוונתא

## אברתא ואזוגא דשבקינן לה

The second-generation mother will remain to enjoy her two kinds of companionship, her children and her mate.

And although the second-generation mother also has a second companion, her own mother, she would not remain for the companionship of her mother and mate alone, because

## אמה אברתא מיצטוונתא

## ברתא אאמה לא מיצטוונתא

A mother is completely attached to her daughter, but a daughter is not completely attached to her mother.

The Rashbam adds, that although the שלישי דור mother does not have the companionship of her own children, she would still remain in the שובך, because

דאיכא ג' חבורות

She has three kinds of companionship, her mate, her mother, and her grandmother.

3 The Mishnah continues

חלות דבש

מניח ב' חלות

If a person bought only the honeycombs of someone's beehive, but not the bees, the seller retains two honeycombs to sustain his bees during the winter months, when they don't produce honey.

The Gemara proceeds with a discussion regarding דבש בכוורת

Honey inside a beehive, is the honey considered an אוכל, food for human consumption, and it can become טמא, OR it is not considered an אוכל, and it cannot become טמא? Something that is not an אוכל ומשקה or a כלי, a utensil, or אדם, a person, cannot become טמא.

אינו רב כהנא says

דבש בכוורת

אינו יוצא מידי מאכל לעולם

Honey inside a beehive is always considered an אוכל, and לא בעי מחשבה

The honey becomes טמא even if the owner did not have specific intention to eat it, and as the Rashbam adds

אינו יוצא מידי מאכל

עד שיקצהו בפירוש למאכל דבורים

The honey loses its status of אוכל and does not become טמא only if the owner had specific intention to feed the honey to his bees.

רבי יוחנן offers another explanation to the Mishnah

נוטל שלשה נחילין בסירוס

The buyer receives every other batch, in that he receives the 1st, 3rd, and 5th batch, while the seller retains all the others, because

שיהיה לשניהן מן הטובים ומן הכחוסים

So that both the מוכר and the לוקח have from the superior and inferior bees.

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3

*The Mishnah continues. . .*

**פירות כוורת  
נוטל ג' נחילים  
ומסרם**

If a person bought the newborn bees of someone's beehive for one year,  
*the buyer receives only three batches of bees,*  
because people generally only produce three batches because the later batches are inferior.

After that  
the seller causes the bees to stop producing more bees, so that they should produce honey.

And he may do so,  
because as the Rashbam explains

**הדבש של מוכר הוא**

*The seller owns the rights to the honey, which he did not sell.*

Therefore

**מסרסן בחרדל**

He feeds the bees mustard; and

**מתוך שפיהן חד**

**חוזרות ואוכלות את דובשן**  
From the sharp taste of the mustard, the bees consume their supply of honey, and then

מתוך שביעותן

**בטילות מפריה ורביה ועופות דבש**

*When the bees become satiated, they no longer produce bees, and instead produce honey.*

רבי יוחנן

**נוטל שלשה נחילין בסירוס**

The buyer receives every other batch, in that he receives the 1st, 3rd, and 5th batch, while the seller retains all the others,

because

שיהיה לשניהן מן הטובים ומן הכחוסים

*So that both the מוכר and the לוקח have from the superior and inferior bees.*

## 4 The Mishnah continues

חלות דבש

מניח ב' חלות

If a person bought only the honeycombs of someone's beehive, but not the bees, the seller retains two honeycombs to sustain his bees during the winter months, when they don't produce honey.

The Gemara proceeds with a discussion regarding דבש בכוורת

Honey inside a beehive, is the honey considered an אוכל, food for human consumption, and it can become טמא, OR it is not considered an אוכל, and it cannot become טמא? Something that is not an אוכל ומשקה or a כלי, a utensil, or אדם, a person, cannot become טמא.

says רב כהנא

דבש בכוורת

אינו יוצא מידי מאכל לעולם

Honey inside a beehive is always considered an אוכל, and לא בעי מחשבה

The honey becomes טמא even if the owner did not have specific intention to eat it, and as the Rashbam adds

אינו יוצא מידי מאכל

עד שיקצהו בפירוש למאכל דבורים

The honey loses its status of אוכל and does not become טמא only if the owner had specific intention to feed the honey to his bees.

## 4

*The Mishnah continues. . .*

## חלות דבש מניח ב' חלות

*If a person bought the honeycombs of someone's beehive, but not the bees, the seller retains two honeycombs to sustain his bees during the winter months, when they don't produce honey.*

*The Gemara proceeds with a discussion regarding*

## דבש בכוורת

*Honey inside a beehive,*

*Is the honey considered an אוכל, and can become טמא,*

*Or the honey is not considered an אוכל, and cannot become טמא*

*Something that is not an אוכל ומשקה or a כלי, or אדם, cannot become טמא.*

*רב כהנא*

## דבש בכוורת

## אינו יוצא מידי מאכל לעולם

*Honey inside a beehive is always considered an אוכל, and*

## לא בעי מחשבה

*The honey becomes טמא even if the owner did not have specific intention to eat it,*

*And as the Rashbam adds*

*אינו יוצא מידי מאכל*

*עד שיקצהו בפירוש למאכל דבורים*

*The honey loses its status of אוכל and does not become טמא only if the owner had specific intention to feed the honey to his bees.*

5 The Gemara asks from a Braisa

דבש בכורת  
אינו לא אוכל ולא משקה  
Honey inside a beehive is neither an אוכל nor a משקה, and therefore cannot become טמא?

The Gemara offers two explanations

1.  
אבי says  
לא צריכא אלא לאותן שתי חלות  
The Braisa refers to the two honeycombs that are left to the seller. These are  
אינו לא אוכל ולא משקה  
Because ®  
שהקצהו למאכל דבורים  
They are designated for the bees to eat during the winter

הונא refers to the other honeycombs. These are  
אינו יוצא מידי מאכל לעולם  
Because ®  
לא הקצהו למאכל דבורים

2.  
רבי says, this is actually a מחלוקת רבי אליעזר וחכמים, and the Braisa is the opinion of רבי אליעזר who holds  
כוורת דבורים הרי היא כקרקע  
אפילו חישב עליו  
אינה מקבלת טומאה במקומה  
A beehive and the honey inside are considered land, and therefore even if the owner did have a specific intention to eat the honey, the honey inside the beehive cannot become טמא, because קרקע cannot become טמא.

While רבי הונא concurs with the חכמים who hold  
כוורת דבורים אינה כקרקע  
ומקבלת טומאה במקומה  
A beehive and the honey inside are not considered land, and therefore CAN become טמא.

5

ברייתא



**דבש בכורת  
אינו לא אוכל ולא משקה**

Honey inside a beehive is neither an אוכל nor a משקה, and therefore cannot become טמא.

1

אבי

**לא צריכא  
אלא לאותן שתי חלות**

The Braisa refers to the two honeycombs that are left to the seller. These are - אינו לא אוכל ולא משקה

Because

שהקצהו למאכל דבורים  
They are designated for the bees to eat during the winter

הונא refers to the other honeycombs. These are - אינו יוצא מידי מאכל לעולם

Because

**לא הקצהו למאכל דבורים**

2

רבי

This is actually a מחלוקת between רבי אליעזר וחכמים

The Braisa is the opinion of רבי אליעזר who holds

**כוורת דבורים הרי היא כקרקע  
אפילו חישב עליו  
אינה מקבלת טומאה במקומה**

A beehive and the honey inside are considered land, and therefore even if the owner did have a specific intention to eat the honey, the honey inside the beehive cannot become טמא, because קרקע cannot become טמא.

While רבי הונא concurs with the חכמים who hold

**כוורת דבורים אינה כקרקע  
ומקבלת טומאה במקומה**

A beehive and the honey inside are not considered land, and therefore can become טמא.

6 The Gemara asks from a second Braisa;  
 דבש הזב מכוורתו  
 אינו לא אוכל ולא משקה  
 Honey that flows from a beehive is neither an אוכל nor a  
 משקה, and therefore cannot become טמא?

According to אביי, as before, the Braisa refers to the שתי חלות, and therefore although the honey was separated from the beehive, it does not become טמא because שהקצהו למאכל דבורים

However, according to רבא, even לרבי אליעזר, once the honey became separated from the beehive, it is no longer considered קרקע and it ought to become טמא?

6  
 ברייתא  
**דבש הזב מכוורתו  
 אינו לא אוכל ולא משקה**  
 Honey that flows from a beehive is neither an אוכל  
 nor a משקה, and therefore cannot become טמא.

?

However, according to רבא  
 Even לרבי אליעזר,  
 once the honey became  
 separated from the beehive,  
 it is no longer  
 considered קרקע  
 and it ought to  
 become טמא?

According to אביי  
 The Braisa refers to the  
**שתי חלות**  
 and therefore although the  
 honey was separated from  
 the beehive, it does not  
 become טמא because  
 שהקצהו למאכל דבורים



7 Therefore we must say as follows:

Either the Braisa refers to

כגון שזב ע"ג כלי מאוס

The honey flowed onto a dirty and repulsive utensil;  
OR

כגון שזב על גבי קשקשין

The honey flowed onto chips of wood from which it is difficult to be gathered, and therefore as the Rashbam explains;

According to רבי אליעזר

כיון דבתוך הכוורת לא חשיב אוכל

והשתא זב ע"ג כלי מאוס

צריך מחשבה

Since the honey inside the beehive initially did not have the status of אוכל, even when it became separated from the beehive it still did not achieve the status of אוכל, because it never became edible.

However, according to the חכמים

דבתוך הכוורת חשיב אוכל

בכלי מאוס לא מיבטל שם אוכל מיניה

עד שיפסל מלאכול לכלב

Since the honey inside the beehive did have the status of אוכל, when it becomes separated from the beehive it does not lose its status of אוכל even though it becomes inedible for human consumption, unless it becomes inedible for animal consumption.

The Gemara proceeds to ask from a third Braisa and resolves that question as well, and then concludes with a supporting Braisa;

תניא כוותיה דרב כהנא

דבש בכוורתו

מטמא טומאת אוכלין

שלא במחשבה

The honey in a beehive CAN become טמא and is considered an אוכל even without specific designation.

=====

7

Therefore we must say as follows:

Either the Braisa refers to

**כגון שזב**

**על גבי קשקשין**

The honey flowed onto chips of wood from which it is difficult to be gathered.

**כגון שזב**

**ע"ג כלי מאוס**

The honey flowed onto a dirty and repulsive utensil

and therefore as the Rashbam explains;

According to רבי אליעזר

**כיון דבתוך הכוורת לא חשיב אוכל**  
**והשתא זב ע"ג כלי מאוס**  
**צריך מחשבה**

Since the honey inside the beehive initially did not have the status of אוכל, even when it became separated from the beehive it still did not achieve the status of אוכל, because it never became edible.

However, according to the חכמים

**דבתוך הכוורת חשיב אוכל**  
**בכלי מאוס**

**לא מיבטל שם אוכל מיניה**  
**עד שיפסל מלאכול לכלב**

Since the honey inside the beehive did have the status of אוכל, when it becomes separated from the beehive it does not lose its status of אוכל even if it becomes inedible for human consumption, unless it becomes inedible for animal consumption.

תניא כוותיה דרב כהנא

**דבש בכוורתו**

**מטמא טומאת אוכלין**  
**שלא במחשבה**

The honey in a beehive CAN become טמא and is considered an אוכל even without specific designation.



8 The Mishnah concludes

זיתים לקוץ  
מניח שתי גרופיות

If a person bought someone's olive trees to chop down, the buyer must leave over the lower part of the tree with, at least, two branches, so that the tree can rejuvenate.

And the Braisa elaborates that different types of trees require various heights in order to rejuvenate:

הלוקח אילן מחבירו לקוץ

מגביה מן הקרקע טפח וקוצץ

If person bought a tree to chop down, the buyer leaves over one טפח near the ground, and he chops down the rest.

בתולת השקמה

ג' טפחים

If it was a young sycamore tree, he leaves over three

טפחים.

סדן השקמה

ב' טפחים

If it was a grown sycamore tree, he leaves over only two

טפחים.

בקנים ובגפנים

מן הפקק ולמעלה

If it was reeds or a grapevine, he chops down the tree from above the first knot.

בדקלים ובארזים

חופר ומשרש

If it was a palm or cedar tree, he chops down the entire tree, because

לפי שאין גזען מחליף

These trees do not rejuvenate.

The Gemara concludes regarding ארו, only one type does not rejuvenate, but the other types of ארו do rejuvenate.

8

*The Mishnah concludes...*

**זיתים לקוץ  
מניח שתי גרופיות**

If a person bought olive trees to chop down, the buyer must leave over the lower part of the tree with, at least, two branches, so that the tree can rejuvenate.

*The Braisa elaborates that different types of trees require various heights in order to rejuvenate:*

**הלוקח אילן מחבירו לקוץ  
מגביה מן הקרקע טפח וקוצץ**

If person bought a tree to chop down, the buyer leaves over one טפח near the ground, and he chops down the rest.

**סדן השקמה  
ב' טפחים**

If it was a grown sycamore tree, he leaves over only two טפחים.

**בתולת השקמה  
ג' טפחים**

If it was a young sycamore tree, he leaves over three טפחים.

**בקנים ובגפנים  
מן הפקק ולמעלה**

If it was reeds or a grapevine, he chops down the tree from above the first knot.

**בדקלים ובארזים  
חופר ומשרש**

If it was a palm or cedar tree, he chops down the entire tree, because

**לפי שאין גזען מחליף**

These trees do not rejuvenate.

*The Gemara concludes*

Regarding ארו, only one type does not rejuvenate, but the other types of ארו do rejuvenate.