

## Bava Basra – Simanim

### דף צח – Daf 98

### פרק ו – המוכר פירות

#### 1. Sold wine which soured while remaining in the seller's kegs

The next Mishnah states that if one sold wine, *והחמיץ – and it soured*, the seller is not responsible. ואם ידוע – *But if it is known that his wine sours*, the buyer is refunded. Rebbe Yose brei d'Rebbe Chanina said the seller is only exempt where the wine was poured into the buyer's kegs, because his containers may have caused the souring. But if the wine remained in the seller's kegs, the buyer may return it and say: הא – *This is your wine, and these are your kegs!* He holds the seller responsible even if the wine soured long after the purchase, because it must have originally been inferior. Although the seller can ordinarily argue that the buyer should have consumed it before it soured, Rebbe Yose explains the Mishnah's case where the buyer ordered wine *למקפה – for [cooking] purposes* (i.e., to be used over time). This disagrees with Rav Chiya bar Yosef, who said: *חמרא מזלא דמריה גרים – the souring of wine is caused by the owner's fortunes*, and may be blamed on the buyer even if it remained in the seller's kegs, as the *passuk* says: ואף כי היין בוגד גבר – *And certainly the wine betrays, the arrogant man etc.*

#### 2. Minimum standard dimensions for a house, or barn

The next Mishnah states: *המוכר מקום לחבירו – if one sells a place to his friend*, or if one accepts a place from his friend, to build for him *בית חתנות לבנו – wedding-house for his son* (to live in after marriage), *ובית בונה ארבע אמות על – or a widowhood-house for his daughter* (to live in after her husband died), *שש – he must build a house measuring four amos by six*, according to Rebbe Akiva. Rebbe Yishmael objected: *one who wishes to build a cattle barn, שש – builds it four amos by six*, and there are two opinions if this was said by Rebbe Akiva or Rebbe Yishmael. If it is Rebbe Akiva, he is saying that although such a small dwelling is the size of a barn, *כרפת בקר – sometimes a person makes his dwelling as small as a cattle barn*. If Rebbe Yishmael is the speaker, he is completing his objection, saying that only "one who wishes to build a cattle barn builds it four amos by six."

#### 3. Ben Sira's list of practices worse than bran (e.g., חתן הדור בבית חמיו)

The Gemara wonders why the Mishnah's examples are a wedding-house for his son, and a widowhood-house for his daughter, instead of each being for one's son or daughter. It answers that the Mishnah is teaching something incidentally: *דלא דרכא דחתנא למידר בי חמוה – that it is not proper for a son-in-law to live in his father-in-law's house*, because of a risk of immorality with his mother-in-law. Therefore, a father usually built the wedding-house for his son. Similarly, it is written in the sefer of Ben Sira: *הכל שקלתי בכף מאזנים – I have weighed everything in a pan of a scale*, *ולא מצאתי קל מסובין – and I found nothing lighter* (i.e., worse) *than bran*. *But even lighter than bran is a son-in-law who lives in his father-in-law's house*. *And even lighter than such a son-in-law is a guest who brings another guest with him*. *And even lighter than such a guest is one who answers before fully hearing the question*, as the *passuk* says: *משיב דבר בטרם ישמע – He who answers before hearing*, *אולת – it is foolishness for him and an embarrassment*.

#### Siman – Clown (צחוק)

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### 3 things to remember

1. Sold wine which soured while remaining in the seller's kegs
2. Minimum standard dimensions for a house, or barn
3. Ben Sira's list of practices worse than bran (חתן הדר בבית חמיו, e.g.,)

