

Bava Basra – Simanim

פרק א - השותפין

דף יג – Daf 13

1. גוד או אגוד

The Mishnah on Daf 11a had taught the minimum size of various property types for one partner to demand a division. The Gemara discusses the options of a partner in a smaller property. Rav Yehudah says: גוד או אגוד – *there is a law that one partner can say, "Either you set a price for my share and buy it, or I will set a price for your share and buy it,"* and thereby force an end to the partnership. Rav Nachman says: גוד או אגוד – *there is no law that one partner can say, "Either you set a price for my share, or I set a price for your share."* The Gemara later quotes a Baraisa which states that regarding a jointly owned item which would not function when divided, מעלין אותו בדמים – *we compensate him with money*, meaning one partner can demand that one of them sets a price for the other's share to be bought out. The Gemara responds that it is a *machlokes* Tannaim, but concludes that we cannot prove that any Tanna supports Rav Nachman's position.

2. Dividing two maidservants with different skills

Ameimar said that according to *halachah*, there is a law of גוד או אגוד. The Gemara objects that Rabbah bar Chinena and Rav Dimi bar Chinena once inherited two maidservants, one of whom knew how to bake and cook, and the other knew how to spin thread and weave. They came before Rava, who ruled that there is no law of גוד או אגוד, and neither could demand ending the partnership! The Gemara answers that that case is different, דלמר מיבעי ליה תרוייהו ולמר מיבעי ליה תרוייהו – *because [Rabbah] needed both maidservants, and [Rav Dimi] needed both maidservants, since they had different skills.* Therefore, if one party says, שקול את חדא ואנא חדא – *"You take one of them, and I will take the other one,"* compensating the difference in value, it is not a legitimate offer of גוד או אגוד. However, Rashi says one could demand to buy or sell his share in both maidservants.

3. Combining volumes of Tanach into a single scroll

In a Baraisa, Rebbe Meir says: מדביק אדם תורה נביאים וכתובים כאחד – *a person may attach scrolls of Torah, Neviim, and Kesuvim together* into a single scroll. Rebbe Yehudah says he can combine different volumes, but the Torah, Neviim, and Kesuvim must each be an independent scroll. The Chochomim say: כל אחד ואחד בפני עצמו – *each and every volume of Neviim and Kesuvim must be its own scroll.* Rebbe Yehudah reported that Beissus ben Zunin had the eight Neviim attached as a single scroll, sanctioned by Rebbe Elazar ben Azaryah, but some say that each Navi was a different scroll. Rebbe says that a scroll was once brought before them, which had the entire Tanach in a single scroll, and they declared it fit for use, like Rebbe Meir's opinion. The Baraisa concludes that four lines must be left blank between each Chumash of the Torah, and between each of the Neviim, except between each individual Navi of תרי עשר, where only three blank lines are required. ומסיים מלמטה – *But if he finishes one volume of Tanach at the bottom* of a column, ומתחיל מלמעלה – *he begins the next volume at the top* of the next column, without leaving any blank lines.

Siman – Bar Mitzvah Boy

The bar-mitzvah boy **who told his twin brother regarding a small piece of land given to them, "Either you set a price for my share, or I will,"** as his brother was **doing the same regarding two maidservants they inherited with different skill sets**, was sure to get into another conflict when they were given **one single scroll that contained all of Tanach** as a bar-mitzvah gift.



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3 things to remember

1. גוֹאֵל אֶת אֲבוֹתָיו
2. Dividing two maidservants with different skills
3. Combining volumes of Tanach into a single scroll

