



נדרים דף דף מ"ו

POINTS TO PONDER

1. The משנה writes that both partners cannot have חצר, ולגדל תרנגולים in the חצר. Since the משנה stated earlier that neither one can enter the חצר, what is it now adding with specifically mentioning these items?
2. The משנה writes that if the מדר has a bathhouse which he rents out and doesn't have a תפיסת יד, then the מדר can use it. Does it have to be rented out before he made the נדר, or is it just as good, if he rented it out after making the נדר?
3. The ר"ן writes that we force the מדר to sell his half of the חצר because we are afraid that otherwise he may be over on the נדר. Why does he have to use this reasoning? Why can't he simply say that now that he can't use his half like before he is inconvenienced and should not have to continue the partnership under these conditions.
4. Further to the above, does he sell his half to his partner or must he sell it to a third party?
5. The גמרא suggests that our משנה is talking about a case where the חצר is divisible. If that's the case, then why would the משנה write that we force the נדר to sell his half? Let them divide it.

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