

One side is a canal and one side is a river – חד גיסא ניגרא וחד גיסא נהרא

OVERVIEW

The גמרא states if there is a canal on one side of the property and a river on the other side of the property, the rule is that we divide it among the two brothers בקרנא זול. There is a dispute between רש"י¹ and the ר"ח how to interpret this גמרא.

פירש רבינו חננאל שדה אשר מזרחה וצפונה נהרא ומערבה ודרומה מושך ניגרא –

The ר"ח explained this to mean a field where (for instance) the river flows from the east to the north (diagonally) and the canal flows west to south (diagonally) - חולקין אותה בקרנא זול² –

We divide this field זול בקרנא –

פירוש חולקין אותה באלכסון מקרן מזרחית צפונית לקרן מערבית דרומית –

Meaning we divide it diagonally from the north east corner to the southwest corner -

ויהיה לכל אחד צד אחד ניגרא וחד צד נהרא³ –

So that each one will have on his property on one side a canal and on the other side a river.

תוספות responds to an anticipated difficulty:⁴

וכל היכא דמשיך נהרא או ניגרא קרוי חד גיסא:

And wherever the river and the canal flows is called חד גיסא even if it is more than one side.⁵

SUMMARY

The river and the canal bisect the property diagonally (from east to north and from west to south) and the field is divided diagonally (from northeast to southwest).

¹ רש"י interprets the גמרא to mean that there was (for instance) a river on the eastern boundary of the property and an irrigation canal on the northern side of the property. And we divide the field into eight triangular parcels (two parcels bordering the river and two bordering the canal). See the illustration in רש"י.

² קרנא זול seems to be a triangle, for both according to פרש"י and פר"ח the divided parcels are triangular.

³ The one who receives southeast parcel will have the river on the east and the canal on the south; while the one who receives the northwest parcel will have the river on the north and the canal on the west. See the illustration in תוספות.

⁴ The גמרא states that the river was on one side and the canal on the other (which fits well according to פירש"י); however according to the ר"ח both the river and the canal are each on two sides. See footnote # 6.

⁵ Even though the river flows from the east side to the north side of the property and the גמרא states גיסא אחד, nevertheless it (does not mean literally on one side of the field but rather it) is appropriate to say that the river is on one (northeast) side and the canal is on the other (southwest) side. See פ"ר ר"ח ובית מדרשו.

THINKING IT OVER

1. Why does the ר"ה not accept פירש"י?⁶

2. Do רש"י and the ר"ה argue?⁷

⁶ See footnote # 4 as to the difficulty with פירוש ר"ה. See ח' הריטב"א א.

⁷ See נח"מ.