

Abayay says, he can dig adjacent to the border **אביי אמר סומך -**

Overview

Abayay rules that if there is no other בור in the other רשות, he can dig a בור adjacent to the property line; according to one view (only) if the other field is לבורות and according to the דאמרי even if it is לבורות.

אומר רבינו יצחק דלשתי הלשונות¹ לאביי דאמר סומך -

The סומך ר"י says that according to both versions of אביי, who maintains
אם בא אחד לחפור בור לאחר מכאן צריך הוא להרחיק כל ששה² טפחים:
If the neighbor comes to dig a בור afterwards he is required to distance his בור
the entire six טפחים from the original בור.

Summary

The second party must distance himself the entire six טפחים (according to אביי).

Thinking it over

Why does תוספות assume that the second party must distance himself six טפחים,³ perhaps he should only distance himself three טפחים to allow a כותל for the first בור, but no more?⁴

¹ See 'Overview'. Presumably תוספות is saying that even according to the א"ד that he may be סומך (according to אביי) even to a לבורות, the same rule applies that the second party must distance himself six טפחים, and he cannot claim that his field is לבורות so therefore we should split the distance.

² See 'Thinking it over'.

³ See footnote # 2.

⁴ See נחלת משה and נתיבות המשפט סי' קנ"ה ס"ק יב.