

## According to *Abayay* it is understood

## לאביי ניהא -

### Overview

The גמרא inferred from the משנה that if there is no בור in the adjacent field there is no need to distance his בור from the property line. This (seemingly) supports the view of אביי that even in a שדה העשויה לבורות, one may dig his בור at the boundary (as long as there is no other בור in the adjoining property). תוספות qualifies this proof.

השתא סלקא דעתין דמכותל בורו<sup>1</sup> היינו מחלל בורו<sup>2</sup> ולא דקדק בלשון:

Now (when we support אביי from the inference of the משנה) we assume that when the משנה stated that he needs to distance his בור from כותל בורו, that means from the cavity of his בור, so he was not precise in his language.

### Summary

The גמרא assumes now that מכותל בורו means מחלל בורו.

### Thinking it over

According to this ס"ד, how much must the second person distance his בור from חלל<sup>3</sup> בורו של חבירו?

<sup>1</sup> The משנה stated הרחיק מכותל חבירו, and we (אביי, ר' יהודה) interpreted it to mean מכותל בורו; that one does not merely distance from the cavity of the בור but rather from the כותל of the בור, which is three טפחים. See תוס' ד"ה מכותל [TIE footnote # 1 & 3] that we derive from מכותל בורו that even the first person must distance himself, so how can our משנה support the view of אביי.

<sup>2</sup> Therefore we must say that at this point in the גמרא when it said הניהא לאביי it assumed that מכותל meant from the cavity of the בור and it assumed that the משנה was not precise when writing מכותל, for it did not mean actually מכותל but rather the cavity (which is adjacent to the inner part of the כותל).

<sup>3</sup> See תוס' which ולא דקדק בלשון (perhaps this is (also) included in the חידושי הרשב"א).