

## **The possession of houses etc., and olive presses<sup>1</sup>.**

### Overview

Our משנה states that there are two types of חזקה. For those items that are constantly in use (i.e. a house) the חזקה is three complete years. However those items which are not constantly in use, their חזקה do not require שלש שנים מיום ליום, but rather three seasons. Our משנה mentions בית הבדים as one of the items that require a חזקה שלש שנים מיום ליום, indicating that it is active throughout the year. תוספות challenges this assumption.

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anticipates a question:

**The ריב"ם explained that – פירש רבינו יצחק בר מרדכי**

**פרק in משנה in this which we learnt in a דהא דתנן בפרק חומר בקודש (חגיגה כדב), חומר בקודש, namely –**

**‘when the season of wine pressing and olive pressing passes’, etc.** This concludes the quote from the משנה.

**this indicates that olive (and wine) pressing have a set time** during the year, when these activities take place. If this is true why does a חזקה of בית הבדים require three full years? The requirement of a חזקה שלש שנים מיום ליום is limited to such things that are continually active throughout the year; not to an activity which is done sporadically as a בית הבדים seems to be.

answers that when the משנה states that the season passed, the reason we say the season passed is not because there is no pressing after this season but rather -

**– it means that most people do their pressing then, at harvest time;** therefore it is called the season of pressing -

**– however there are people – אבל יש בני אדם**

**– that store (their olives [and grapes]) for the whole year;** they do not press them at the harvest time, but rather –

**– they press their olives (and grapes) little by little;** so they indeed use the presses for the entire year. That is why it requires a חזקה שלש שנים מיום ליום, since it is active the entire year.

### Summary

An olive press is in use continuously; however most of the pressing is done during the harvest season.

### Thinking it over

What possible difficulty may footnote # 1 resolve?

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<sup>1</sup> A בית הבד, olive press, is generally owned by an individual who presses olives, for a fee, for various olive growers and/or olive (and) oil merchants. See ‘Thinking it over’. רע"ב בנח"מ.