

## Where he sells his field for sixty years

## במוכר שדהו לס' שנה -

### Overview

The גמרא (initially) explained the reason it is not מכליא קרנא when we buy land (even though he will be required to return it by יובל), is because the sale was for sixty years so the rules of יובל do not apply. תוספות responds to an anticipated question.<sup>1</sup>

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קא סלקא דעתין<sup>2</sup> כיון דלזמן ארוך כל כך מכר לו לא חשיב<sup>3</sup> כליא קרנא:

The גמרא assumed, since he sold him the land for such a long time, it is not considered כליא קרנא.

### Summary

It is debatable whether it is considered כליא קרנא if the item in question is in his possession for an extremely long period.

### Thinking it over

Are we concerned (in our סוגיא) for the כליא קרנא of the לווה or of the מלוה?<sup>4</sup>

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<sup>1</sup> The גמרא immediately rejects this answer, that it is still כליא קרנא, since it needs to be returned after sixty years. תוספות is puzzled, what did the גמרא think when it gave this answer; the question is so obvious!

<sup>2</sup> See footnote # 1.

<sup>3</sup> Presumably a sale of such a long duration may extend beyond the lifetime of the buyer. As far as he is concerned it may be considered כליא קרנא, since in his lifetime he will always retain it.

<sup>4</sup> See [ושמא יפגע יובל בתוך שני המשכונא וכו'; רש"י ד"ה הדרא where he writes; # 29 (- 27) אוצר מפרשי התלמוד]