

שעל מנת כן הנחיל יהושע וכולי –

For it was on this condition that *Yehoshuah* apportioned, etc.

OVERVIEW

The גמרא stated that when יהושע divided ארץ ישראל to all the שבטים he stipulated that they should not mind if someone's tree is nourishing from their land, etc.

במרובה (בבא קמא דף פב,א) פריך אמאי לא חשיב לה בהדי עשרה תנאין של יהושע¹ ומשני² לה:
In פרק מרובה the גמרא asks why do we not count this stipulation among the ten stipulations of יהושע, and the גמרא there answers this question.

SUMMARY

This תנאי is not included in the ten תנאים mentioned in מרובה, as there is a disagreement as to which תנאים were actually made by יהושע.

THINKING IT OVER

Why does תוספות mention this question, especially since he does not give us the answer?³

¹ The גמרא there on (the very bottom of) פ,ב states יהושע התנה תנאין התנה יהושע, and it does not mention this תנאי.

² The גמרא there answers that this statement of יהושע is not a ברייתא, rather it is a מימרא from ר' יהושע בן לוי who was an אמורא, so ר' יוחנן (who includes this תנאי) can disagree with him and maintains that this too was one of the תנאים of יהושע.

³ Perhaps this מחלוקת can help us understand the two opposing views attributed to ר' יוחנן.