



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Bava Metzia Daf Yud

- **R' Nachman and R' Chisda** both said, if a person picks up a lost item with intent to be koneh for someone else, the other person is not koneh. The reason is, the person picking up the item is like one who takes limited assets of a debtor on behalf of one of his creditors, leaving nothing for the rest to collect from, and the halacha in that case is that the person is not koneh for the creditor.
  - **Q: Rava** asked **R' Nachman**, a Braisa says if a worker was hired for a specific task and as he was working he found a lost item and picked it up, it is his to keep. However, if he was hired for the day and found an item and picked it up, the item would belong to the one who hired him. We see from here that a person could pick up a lost item on behalf of someone else!? **A: R' Nachman** said, this case is different, because the hand of a worker is like an extension of the hand of his employer. Therefore, it is as if the employer himself picked up the item.
    - **Q: Rav** has said that a worker can quit at any point. If so, how can you say that he is considered "owned" to the point that his hand is an extension of the employer's hand? **A: R' Nachman** said, it is true that he may quit, since he is not the employer's slave, but so long as he doesn't quit, his hand is considered to be an extension of the hand of the employer.
- **R' Chiya bar Abba in the name of R' Yochanan** said, that if a person picks up a lost item with intent to be koneh for someone else, the other person is koneh. If you will ask that our Mishna says that the one who lifted the found item for the person on the animal may then decide to keep it for himself, that is not difficult. The Mishna is talking about where the one on the animal said "give it to me" and didn't say "be koneh it for me". Therefore, no kinyan was made when it was lifted for him.

### MISHNA

- If a person saw a lost item and threw himself on top of it, and another person came and grabbed it from under him, the second person is koneh.

### GEMARA

- **Reish Lakish in the name of Abba Kohen Bardila** said, a person's 4 amos are koneh for him in every place. This is based on a takanah of the **Rabanan** to prevent people from coming to fight with each other.
  - **Q: Abaye** said that **R' Chiya bar Yosef** asked on this from a Mishna in Peyah, and **Rava** said that **R' Yaakov bar Idi** asked on this from a Mishna in Nezikin (our Mishna). **Abaye** explained, the Mishna says that if someone throws himself onto peyah he is not koneh!? **A:** The Mishna is talking about where he did not say that he wants to be koneh with his 4 amos.
    - **Q:** If the **Rabanan** instituted this kinyan, why would he have to say that he wants to be koneh with it? **A:** Since he threw himself onto the peyah, he shows that he wants to be koneh with this falling, and not with his 4 amos. **A2: R' Pappa** said, the enactment of 4 amos was only instituted in public areas, not in someone else's field (like the case of peyah, which is located in someone else's field).
  - **Q: Rava** asked, if the **Rabanan** enacted a kinyan of 4 amos, why is the first person in our Mishna not koneh? **A:** The Mishna is talking about where he did not say that he wants to be koneh with his 4 amos.

