



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

Bava Metzia Daf Kuf Vuv

- **Q:** If the farmer was told by the landlord to plant wheat, and he instead went and planted barley, and most of the surrounding fields, including this rented field, was then destroyed by wind, what is the halacha? Do we say that the farmer can say, had I planted wheat it would also have been destroyed, or can the landlord say that had he planted wheat, maybe my tefillos would have prevented it from being destroyed!? **A:** It makes sense to say that the landlord can say that had wheat been planted maybe his crop would have been spared.
- **Q:** What if all the landlord's fields (wherever they are) were destroyed, but the other surrounding fields were not? Do we say that since the surrounding fields were not affected, the farmer cannot reduce the rent, or do we say that the farmer can tell him "this is clearly your bad mazal that caused the damage" and therefore he could reduce the rent? **A:** It would make sense that the landlord can tell him, if it was based on my bad mazal, Hashem would have left me over something to exist on (as a pasuk teaches). Since there is nothing at all left, it must be that it is not based on my mazal.
- **Q:** What if all the farmer's fields (even in other areas) were destroyed, and the surrounding fields to the rented field were also destroyed? Do we say that since the surrounding fields were destroyed he can deduct from the rent, or do we say that the landlord can tell him "since all your fields were destroyed, this is based on your bad mazal" and he therefore cannot deduct from the rent? **A:** It makes sense to say that the landlord can say it is based on the farmer's bad luck.
 - **Q:** Why can't he say that if it was based on his bad luck, Hashem would have left over something for him to exist on? **A:** It is because the landlord would reply, Hashem would leave you over something in one of your other fields, not in a field that you are renting.
- **Q:** The Gemara earlier said that "destruction of the entire area" refers to a situation where the surrounding fields were destroyed along with the rented field. A Braisa says, with regard to a purchased field that must remain with the purchaser for two years before the seller may redeem it, if one of those years was a year of fields being damaged by wind or yellowing, or shmitta, or there was a drought like the times of Eliyahu, then it is not counted as one of the two years that the field must remain with the purchaser before being redeemed. Now, the Braisa seems to compare the wind and yellowing damage to that of the drought of Eliyahu, presumably teaching that just as there was absolutely no produce to be found in the latter, the former is also referring to where there is no produce to be found, which would mean that a localized damage would not be sufficient!? **A: R' Nachman bar Yitzchak** said, the case of the purchased field is different, because the pasuk says "b'mispar shnei tevuos yimkar lach", which teaches that there must be produce in the world for the year to be counted.
 - **Q: R' Ashi** asked **R' Kahana**, based on this, shmitta should be considered a "year of produce" since there is produce to be had in chutz laaretz!? **A:** He said, shmitta is a year that Hashem says should not be counted for this purpose.
 - **Q: Mar Zutra the son of R' Mari** said to **Ravina**, based on this, why is it that when one redeems a field from hekdesch, he *does* take the shmitta year into account!? **A:** He answered, that is because shmitta is still a useful year for the field in that it can be used to spread fruit to dry.
- **Shmuel** said, the tenant may only reduce the rent payment if he planted, it grew, and then the locusts came and ate it. However, if he never planted the field, he cannot reduce the rental payment, because the landlord can say that it is possible his field would have been spared.
 - **Q: R' Sheishes** asked, a Braisa says, if a shepherd left the flock and entered the town, and a wolf or lion came and killed an animal, we do not say he is chayuv because had he been there he could have prevented the damage, rather we assess the situation. If he

would have been able to save the animals, he is chayuv, and if not, he is patur. Now, why don't we say in that case also that the owner can say, if you would have stayed there maybe his animals would have been saved!? **A:** That case is different, because the shepherd can say, if you were really supposed to have a miracle happen, it would have happened without me there as well.

- **Q:** Why can't the owner say, maybe I don't merit a large miracle, but I would have merited a smaller miracle, which is what it would have been had you been there!? This remains a **KASHYEH**.
- **Q:** One Braisa says, the farmer must plant the field two times before he may reduce the rent, and another Braisa says he must do so 3 times!? **A:** The first Braisa follows **Rebbi**, who says a chazaka is created with two times, and the second Braisa follows **R' Shimon ben Gamliel**, who says a chazaka is created with 3 times.
 - **Reish Lakish** said, this limit (of planting 2 or 3 times) is only if he planted, it grew, and the locusts then ate the produce. However, if he planted and nothing grew, he must continue to plant for the entire planting season.
 - **Q:** Until what point is it considered to be the planting season? **A:** **R' Pappa** said, it is until the time that the sharecroppers come back from the field under the "kima" constellation (which is when Adar is over).
 - **Q:** A Braisa says, **R' Shimon ben Gamliel in the name of R' Meir** said, and **R' Shimon ben Menasya** said as well, that the planting season ends well before Adar!? **A:** The Braisa is referring to the planting time for the early crops (e.g. wheat), and **R' Pappa** was talking about for the late crops (e.g. barley and beans).

R' YEHUDA OMER IHM KIBLAH MIMENU B'MA'OS

- There was a person who rented a field for money payments, to grow garlic. The field was on the banks of the Malka Sava River. The river was diverted upstream and he therefore lost his water source. **Rava** said, this is very uncommon and is therefore considered to be a situation effecting everybody, and therefore the tenant may reduce the rent. The **Rabanan** asked him, our Mishna says that **R' Yehuda** holds if he is to pay money then even if the situation effects everybody he may not reduce the rent!? **Rava** said, no one holds like **R' Yehuda**.

MISHNA

- If a field was rented for 10 kor of wheat per year and the crop was damaged by wind, he may use that damaged wheat for the payment. If his wheat crop turned out to be a superior crop, he cannot tell the landlord that he will go and buy lesser quality wheat to pay him with. Rather, he must pay with the wheat of that field.

GEMARA

- There was a person who rented a field to plant aspasta, and the deal was that he would pay with kors of barley. The land produced aspasta, and the farmer then plowed and grew barley (instead of more aspasta), but the barley crop was damaged. **R' Chaviva of Sura DePras** asked **Ravina**, is this a case of damaged produce, which the Mishna says he may use to pay, or not? **Ravina** said, in the Mishna the field did not do what it was supposed to do (it didn't produce good grain). In this case the field did (it produced good aspasta), and therefore he cannot use the bad crop to pay.
- A person rented a vineyard for the payment of 10 barrels of wine. The wine produced in this vineyard spoiled. **R' Kahana** thought to say that this is the case of our Mishna, and the payment can be made with the spoiled wine. **R' Ashi** told him, in the Mishna the field did not do what it was supposed to do (it didn't produce good grain). In this case the field did (it produced good grapes), and therefore he cannot use the spoiled wine to pay.
 - **R' Ashi** would agree that if the grapes became wormy or the grain was damaged while left out to dry, that the rent could be paid with the spoiled produce.

MISHNA

- If someone rents a field to plant barley, he may not decide to plant wheat. However, if he rented it to plant wheat, he may decide to plant barley. **R' Shimon ben Gamliel** says, even the second case would be assur. If he rented it to plant grain, he may not decide to plant beans.

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GEMARA

- **R' Chisda** said, the reason of **R' Shimon ben Gamliel** is the pasuk that says a person may not do different than he says.
 - **Q:** A Braisa says that **R' Shimon ben Gamliel** says that money collected for poor people for Purim may be used for another purpose even though the donor said it should be used for Purim. Why does he say in the Mishna that he can't change what was said initially? **A: Abaye** said, the reason of **R' Shimon ben Gamliel** is like **Rabbah bar Nachmeini**, who says that a field gets ruined when the produce planted is constantly changed and when the planting patterns are changed. Therefore, the farmer may not change the crop so as not to ruin the rented field.
 - This is only a problem if he doesn't plow twice after the harvest. If he does, it is not a problem.