



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

Bava Metzia Daf Kuf Yud Daled

- **Q:** What is the halacha with regard to leaving over for a borrower the items that he needs? Do we have a gezeirah shava from eirechin, and just as by eirechin we leave over for the one who owes the money, the same would be for a borrower, or do we not darshen this gezeira shava?
A: We find that **Ravin** asked the question whether one who promised money to hekdesch (not with eirechin) is left over the items he needs to live. **R' Yaakov in the name of Bar Pada, and R' Yirmiya in the name of Ilfa** said that we have a kal v'chomer from the case of a borrower – if a borrower, who is given back the collateral when he needs it, is still not left over the items that he needs, then in the case of one owing money to hekdesch, where he is not given the collateral back, for sure he does not get left over with the items that he needs. (Clearly they hold that a borrower is not left over with what he needs). **R' Yochanan** said, the pasuk of “neder b'erkicha” teaches that the one who owes money to hekdesch is treated like the one who promised with eirechin.
 - **Q:** Why don't we say that we do make an arrangement for a borrower (and leave him over what he needs) based on a kal v'chomer from eirechin – with eirechin the collateral need not be returned and yet we make an arrangement for him, so with a borrower, where the collateral must be returned, for sure we would make an arrangement for him!? **A:** The pasuk regarding eirechin says “v'ihm mach **hu** mei'erkecha”, which comes to exclude a borrower from this halacha.
 - **Q:** Why don't we reverse the kal v'chomer and say, if we must return the collateral to the borrower even though we don't make an arrangement for him, then we should definitely have to return it by eirechin, where we do make an arrangement!? **A:** The pasuk regarding returning the collateral to the borrower says “he will sleep with his garment and he will bless you”. This excludes hekdesch, which doesn't need to be blessed (Hashem doesn't need our bracha).
 - **Q:** The pasuk tells us to bentch after we eat, which shows that we should bless Hashem!? **A:** Rather, the pasuk says “ulecha tihiyeh tzedaka”, which teaches that only one who may need tzedaka is required to return the collateral. This excludes hekdesch.
 - **Rabbah bar Avuha** found Eliyahu when he was in a non-Jewish cemetery, and asked him whether we make an arrangement for a borrower. Eliyahu said we darshen a gezeira shava from eirechin, which teaches that we do make an arrangement for a borrower. He then asked Eliyahu how, as a Kohen, he was in a cemetery. Eliyahu said, do you not learn Seder Taharos? There is a Braisa there in which **R' Shimon ben Yochai** darshens a pasuk to teach that non-Jewish corpses do not give off tumas ohel. **Rabbah bar Avuha** answered, “I can't master the 4 common Sedarim, and you expect me to master all six!?” Eliyahu asked, “why can't you master them?” **Rabbah** said, “I have financial difficulties”. Eliyahu took him to Gan Eden and told him to take off his coat and take some of the leaves that were there. When they were leaving he heard someone saying “who is using his reward of Olam Habbah like **Rabbah bar Avuha**?” Hearing that, he threw the leaves away. Still, his coat had the smell of Gan Eden. He sold the coat for 12,000 dinars and gave the money to his sons-in-law.
- A Braisa says, the pasuk says “if he (the borrower) is a poor person, do not lie down with his collateral”. This suggests, that if the borrower was wealthy, it would be permitted to do so.
 - **R' Sheishes** explained, this does not mean that the lender may use the collateral of a rich borrower. Rather, it means that if the borrower is wealthy, the lender need not return the collateral to him at night.

- A Braisa says, if someone lends money, he may not take collateral from the borrower, and he does not need to return the collateral to the borrower, and he is oiver on all the laavim on this subject.
 - **R' Sheishes** explains, the Braisa means that a lender may not go into the house of a borrower to take collateral. If he did, he must return the collateral. If he does not return it, he will be oiver on all the laavim on this subject.
 - **Rava** explains, the Braisa means that a lender may not go into the house of a borrower to take collateral. If he did, he must return the collateral. This is referring to taking collateral not at the time that the loan was given. However, with regard to taking collateral at the time of the loan, he would not be required to return it. The Braisa then refers back to the first case and says that the lender would be oiver on all the laavim.
- **R' Shizbi** said a Braisa in front of **Rava** that says, when the pasuk says that the collateral should be returned “until the sun goes down”, that is referring to collateral that is pajamas. When the pasuk says it should be returned to him “as the sun goes down” that is referring to daytime clothing. **Rava** asked, this seems to be reversed!? Why would he need pajamas during the day (“until the sun goes down”) and daytime clothing at night (“as the sun goes down”)? **R' Shizbi** asked, should I delete this Braisa? **Rava** said, no. Rather, say that when the pasuk says that the collateral should be returned “until the sun goes down”, that is referring to collateral that is daytime clothing. When the pasuk says it should be returned to him “as the sun goes down” that is referring to nighttime clothing.
- **R' Yochanan** said, if the lender got collateral and gave it back to the borrower for him to use, and the borrower then died, the lender may take it away from the heirs.
 - **Q:** A Braisa says, **R' Meir** said, if we must return the collateral, why does it even pay to take it back after returning it to the borrower? It is so that the loan should not be cancelled at shmitta, and so that it not be treated as moveable property in the hands of the heirs. Now, it seems that he may keep it from the heirs only because he took it back as collateral. This seems to refute what **R' Yochanan** said!?
 - A:** **R' Ada bar Masna** said, the Braisa should be understood as follows. **R' Meir** asked, since he must return the collateral to the borrower, why should he even bother taking it in the first place? The answer is, so that the loan should not be cancelled at shmitta, and so that it not be treated as moveable property in the hands of the heirs.