



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

### Bava Metzia Daf Kuf Tes Vuv

- A Braisa says, the pasuk says that the lender may not enter "his house" (of the borrower) to take a collateral. This teaches that he may take collateral from the house of the guarantor of the loan. Another drasha with this pasuk is that a *lender* cannot enter the house of a *borrower* to take collateral. However, if someone is owed money for having worked for him, or for having hosted him, or painted for him, the creditor may enter the house of the one who owes him money to take collateral. However, if this debt was then established into a loan, he can no longer go into the house to take collateral, based on the pasuk that says "mashas me'umah".

#### MISHNA

- One may not take collateral from a borrower who is a widow – whether she is poor or wealthy, because the pasuk says "you shall not take as security the garment of a widow".

#### GEMARA

- A Braisa says, **R' Yehuda** says one may not take collateral from a borrower who is a widow – whether she is poor or wealthy. **R' Shimon** says, if she is wealthy, the lender may take collateral from her. If she is poor, he may not, because he would have to return it to her every day, and this would give her a bad name with her neighbors, who will see a man going into her house every day.
  - **Q:** Does this mean to say that **R' Yehuda** does not darshen the reason behind the pasuk whereas **R' Shimon** does? We find a Braisa where they say exactly the opposite!? A Braisa says, based on the pasuk that says "v'lo yarbeh lo nashim", **R' Yehuda** says a king may have many wives as long as they don't turn him away from Hashem. **R' Shimon** says, that if a woman will turn him away from Hashem he may not marry her even if she would be his only wife! Rather, the pasuk means, that even if they are all as good as Avigayil, he may not marry many wives. In this Braisa the shitos are reversed!? **A:** In truth **R' Yehuda** does not darshen the reason for the pesukim. The reason he does so regarding a king's wives is because the pasuk says "he may not have many wives *and shall not turn away from Hashem*". The Torah itself is giving the reason. **R' Shimon** says we always darshen the reason for the pasuk. From the fact that the pasuk here gives the reason explicitly, it must be coming to teach that even one wife who turns him away from Hashem would not be allowed.

#### MISHNA

- If a lender takes a mill as collateral, he is oiver on the lav and is chayuv for taking two keilim, based on the pasuk of "lo yachavol reichayim varachev". This is not limited to millstones, rather a lender would be chayuv for taking anything that is used in food preparation, based on the pasuk of "ki nefesh hu choveil".

#### GEMARA

- **R' Huna** said, if one takes only the lower millstone as collateral, he will get two sets of malkus – one for the fact that he took a "reichayim" and one for "ki nefesh hu choveil". If he takes the lower and the upper millstones he would get 3 sets of malkus – for "reichayim", for "rachev", and for "ki nefesh hu choveil". **R' Yehuda** says, if he takes only the lower stone he is chayuv for one, and if he takes only the upper stone he is chayuv for one. If he takes both, he would be chayuv two sets of malkus. He would not be chayuv for "ki nefesh hu choveil", because that is an issur for other keilim of food preparation.

- **Q:** Maybe we can say that **Abaye and Rava** argue in this machlokes of **R' Huna and R' Yehuda**. We have learned that **Rava** said, if one ate from a Korbon Pesach: partially roasted, *or* cooked, he gets 2 sets of malkus (one for the general lav of "only roasted over fire", and one for the specific lav against eating it partially roasted or cooked). If one eats a piece that is only partially roasted, *and* a piece that is cooked, he is chayuv 3 sets of malkus. **Abaye** said, one does not get malkus for the lav of "only roasted over fire", because it is a "general lav". Maybe we can say that **Abaye** holds like **R' Yehuda** and that **Rava** holds like **R' Huna**? **A:** **Rava** would say that he can even hold like **R' Yehuda**, because **R' Yehuda** holds that way in that case only because the pasuk of "ki nefesh hu choveil" is needed to teach regarding other items of food preparation. However, regarding Korbon Pesach, the pasuk of "ki ihm tzli eish" is clearly referring to the other issurim of partially roasted or cooked, and therefore it must be coming to give an additional lav. **Abaye** would say that he can even hold like **R' Huna**, because **R' Huna** holds that way there, because the pasuk of "ki nefesh" is extra, and therefore applies to millstones as well as everything else. However, regarding Korbon Pesach, the pasuk of "ki ihm tzli eish" is not extra, because it is needed for the drasha of a Braisa that one is only assur for eating partially roasted at a time when there is a mitzvah to eat it roasted.