



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

Bava Metzia Daf Mem Beis

MISHNA

- If a person gave money to a shomer to watch, and the shomer put it into a bundle and threw it over his back, or he gave it to his minor children and did not properly lock the door in front of them, he is chayuv if anything happens to the money, because he did not watch the money in the normal way of a shomer. However, if he did watch in the normal manner, he would be patur.

GEMARA

- **Q:** Why is he chayuv in the case when he threw it behind his shoulder? **A: Rava in the name of R' Yitzchak** said, the pasuk regarding maaser sheini says "v'tzarta hakesef b'yadcha", which teaches that even though it was put in a bundle it should be "in your hand" (somewhere you can see it). This is the proper method of watching.
 - **R' Yitzchak** said, this pasuk also teaches that a person should always have his money available to him (not given to someone in another place to watch), so that he is able to take advantage of a business opportunity that may arise.
 - **R' Yitzchak** said, a person should split his money into thirds: 1/3 should be invested in land, 1/3 in business, and 1/3 should be kept available in case an opportunity arises.
 - **R' Yitzchak** said based on a pasuk, bracha is only found on something that is hidden from the eye. A Braisa taught by **R' Yishmael** says this as well.
 - A Braisa says, when someone enters his silo to measure his produce, he should say a tefilla asking Hashem to give bracha to the grain (increase it). Once it is measured, he should only give thanks to Hashem for having given bracha. If one davens for bracha at that point, it is a pointless tefilla, because bracha is only found in unmeasured items.
- **Shmuel** said, the only proper way to guard money is to bury it in the ground.
 - **Rava** said, **Shmuel** would agree that if the shomer was given the money on Friday at bein hashmashos, that the **Rabanan** did not require him to bury it right then. But, if after Shabbos enough time passed for him to have buried it, and he did not do so, he would be chayuv for a loss. If the owner was one of the **Rabanan**, the shomer wouldn't be chayuv for not burying it right after Shabbos, because he can think that the owner would need the money to buy wine for Havdalah. Also, in today's times, when there are ganavim who tap the ground to look for hidden things, the only proper safeguarding of money is to put it on the beams under the roof. Nowadays, when there are ganavim who break roofs, looking for hidden things, the only proper safeguarding of money is to put it in between the rows of bricks of a wall. **Rava** said, that **Shmuel** would agree that simply putting the money in a wall (not in between the bricks) is sufficient.
 - **Q: R' Acha the son of R' Yosef** said to **R' Ashi**, regarding chametz that was covered over by a ruin, a Mishna says that **R' Shimon ben Gamliel** says the chametz is only considered destroyed if it is buried deep enough that a dog cannot smell it. A Braisa says that a dog has the ability to smell something that is buried up to 3 tefachim deep in the ground. **R' Acha** asked, when **Shmuel** said that the proper way to guard money is by burying it in the ground, must it also be buried 3 tefachim deep? **A: R' Ashi** said, here we are not concerned for the sniffing of a dog, only that it be out of sight, so it need not be 3 tefachim deep.
 - **Q:** How deep does the money have to be buried? **A: Rafram bar Pappa from Sichra** said, it must be one tefach deep.

- A shomer once hid money in a hut made of willow branches. A ganav stole it from there. **R' Yosef** said, even though putting the money into such a hut is an effective means of guarding against stealing, since it is ineffective for guarding against fire, it is considered to be something that began with negligence and ended with an oneis, and he is chayuv. **Others** say that he said, since it is considered to be something that began with negligence and ended with an oneis, he is patur.
 - The Gemara paskens that a case in which something began with negligence and ended with an oneis, the person would be chayuv.
- A shomer was given money. When he was asked for its return, he said he did not remember where he put it. **Rava** said, saying "I don't know" is considered negligent and he is therefore chayuv.
- A shomer was given money and gave it to his mother to watch for him. She took the money and put it in a box, and it was stolen. **Rava** said, if we tell the shomer to pay he will say that anyone who gives something to a shomer does so knowing that the shomer may give it to his family to watch and he is therefore patur. If we tell the mother to pay, she will say "I thought it was my son's money and therefore didn't know that I had to bury it". If we ask the shomer why he didn't tell his mother that it wasn't his, he will answer that I thought her thinking it was mine would make her watch it even better! **Rava** paskened, the shomer must swear that he gave the money to his mother, the mother must swear that she put the money in a box and it was stolen, and they are then patur.
- There was an apitrapis of minor orphans that bought an ox for the orphans and gave it to a shomer to watch for them. The animal did not have teeth and therefore starved to death. **Rami bar Chama** said, if we tell the apitrapis to pay, he will say I gave it to a competent shomer! If we tell the shomer to pay, he will say "I put the animal together with the other animals that I care for and put food in front of them. I had no way of knowing that it wasn't eating!" [Although the shomer was a shomer sachar, the case is that the orphans were able to get a refund from the seller of the ox, and it is that owner who now claims that the shomer should have told him that the animal had no teeth. The owner wasn't aware of that, because he used a middleman to sell the animal and possibly never even saw it]. **Rami bar Chama** said, the owner must swear that he did not know that the animal had no teeth, and the shomer must pay for the value of the meat of the animal, at a cheap rate.
- A person gave hops to a shomer to watch. The shomer had his own pile of hops. At one point he told his attendant to make beer using his hops (he pointed to his hops), but the attendant went and used the hops that were meant to be watched by him. **R' Amram** said, if we tell the shomer to pay, he will say that he told his attendant to take from his own hops! If we tell the attendant to pay, he will say that he was told to take from a particular pile, but was not told to *not to take* from the other pile (and therefore thought it was not a big deal to take from the other pile)!
 - **Q:** If it would have only taken a certain amount of time for the attendant to get the hops owned by the shomer, and instead it took him longer to bring the hops, then the shomer had to have known that the hops he brought were from the deposited hops!? **A:** The case is that it did not take him longer to come back.
 - **Q:** The shomer benefited by using the hops of the deposit, so why shouldn't he pay for it with his own hops? **A:** **R' Sama the son of Rava** said, the beer spoiled, so the shomer got no benefit from those hops. **R' Ashi** said the deposited hops were of lower quality, and therefore the shomer was not happy with having this beer, and therefore he must only pay for the value of those inferior hops.