



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

Bava Metzia Daf Mem Daled

MISHNA

- If a shomer intended to use a deposited item (he told witnesses that he will do so), **B"S** say that he is chayuv for anything that happens to the item from the time he voices his intent. **B"H** say he is only chayuv from the time that he actually uses it, as the pasuk says "ihm lo shalach yado bimlechtes rei'eihu".
- If a shomer tilted a barrel of wine that was given to him to watch and took a revi'is of wine from it, and some time later it then broke, he only pays for the revi'is of wine that he took (because he never made a kinyan which would make him be koneh the rest of the barrel). However, if he *lifted* the barrel and took a revi'is of wine, and the barrel later broke, he must pay for the entire barrel.

GEMARA

- **Q:** What is the basis for the machlokes between **B"S** and **B"H**? **A:** A Braisa says, the pasuk says "ahl kol dvar pasha". **B"S** say the word "dvar" can be understood as "word" and teaches that a shomer is chayuv for shlichus yad from when he voices his intent to do so. **B"H** say that the pasuk says "ihm lo shalach bo yad", which suggests that a true action needs to take place before he is chayuv. **B"S** asked **B"H**, the pasuk says "dvar"! **B"H** said, the pasuk says "ihm lo shalach bo yad". The word "dvar" teaches that if he instructs someone else (his slave or shaliach) to use the item, he is also chayuv.

HITAH ES HECHAVIS...

- **Rabbah** said, he is only patur for the rest of the barrel if it broke. However, if the rest of the barrel spoiled, he would be chayuv for the entire barrel, because it was his removal of the revi'is that caused it to spoil.

HIGBIHA V'NATAL HEIMENA...

- **Shmuel** said, he would be chayuv as soon as he lifts the barrel with *intent* to take wine, even if he did not take any wine.
 - **Q:** Shall we say that **Shmuel** holds that one is chayuv for shlichus yad even without causing any loss? **A:** It may be that he holds that there has to be a loss. However, in this case, he wants the revi'is to remain in the barrel (it preserves better), and therefore, it is as if he removed the revi'is and put it back in there for storage.
 - **Q: R' Ashi** asked, if a shomer lifted a wallet in order to take a dinar from it, according to **Shmuel** will he be chayuv immediately or not until he removes the coin? With regard to wine, he needs the revi'is to remain in the barrel with the rest of the wine (for preservation) and maybe that is why he is chayuv immediately, because he wants the wine to remain together, but coins may be different. Or, maybe we say that a wallet full of coins is easier to keep secure than one loose coin, and so maybe he wants the coin to remain in the wallet the same way that he wants the wine to remain in the barrel?
- TEIKU.**

HADRAN ALACH PEREK HAMAFKID

PEREK HAZAHAV -- PEREK REVI'I

MISHNA

- When a person gives silver coins to another in exchange for gold coins, it is the gold coins that are considered to be the items being purchased and the silver coins are deemed to be the payment. Therefore, when he takes the gold coins, he then becomes obligated to pay for them

with the silver coins. If the “seller” first takes the silver coins, it is not *koneh* the gold coins for the buyer (the *kinyan* must be made on the item being sold, not on the payment).

- When there is an exchange of copper coins for silver coins, the item being sold is the copper coins and the silver coins are considered to be the payment, and not *visa-versa*.
- When there is an exchange of bad coins for good coins, the bad coins are considered to be the items sold and the good coins are considered to be the payment.
- When an “*asimon*” (a blank coin not yet minted) is exchanged for a coin, the *asimon* is considered to be the items sold and the coins are considered to be the payment.
- When moveable items are exchanged for coins, the moveable items are considered to be the items sold and the coins are considered to be the payment.
- When moveable items are exchanged for other moveable items, when one of the parties is *koneh*, the other is *koneh* as well.
- How does this work? If the buyer did *meshicha* to the produce, but did not yet give the money, neither party can back out of the deal. If the money was given, but no *meshicha* was done on the produce, either party can back out, but the **Chachomim** said, “The One Who punished the generation of the *Mabul* and the “*Dor Haflaga*”, He will also punish someone who does not stand by his word (and backs out of the deal after the money was given)”. **R’ Shimon** said, the one who is holding the money (the seller, who has received the money), has the upper hand (only he can back out at that point, but the buyer cannot).

GEMARA

- **Rebbi** taught our Mishna to his son **R’ Shimon**, as follows: the gold is *koneh* the silver (which is our version of the Mishna). **R’ Shimon** said to him, “in your younger years you taught that the silver is *koneh* the gold, and now you are retracting that”!?
 - In **Rebbi’s** younger years he felt that gold is more valuable and is therefore considered to be the money in the exchange. In his older years he held that silver is more often used as currency, and therefore it is considered to be the money in this exchange.
 - **R’ Ashi** said, the version of **Rebbi’s** younger years makes sense, for the following reason. The Mishna’s next case says that copper is considered to be the item sold when it is exchanged for silver coins. Now, if we say that when silver is exchanged for gold, it is the silver that is considered to be the sold item, that is why the Mishna then had to say that copper is considered to be the sold item, and it is teaching that although in the first case the silver was the sold item, when it is exchanged for copper it is considered to be the form of payment. However, if in the first case the gold is the item sold and the silver is the money even though gold is more valuable than silver, then when silver is exchanged for copper, where the silver is more valuable and is more acceptable as currency, it is obvious that it is viewed as the form of payment!
 - This is no proof. We may have thought that in places that use copper coins it is the more often used form of currency, and that is why we would have thought that the silver coins are the items being sold. The Mishna teaches, that since there are places that don’t use copper coins as currency, the copper coins are not viewed as being the form of payment.
 - **R’ Chiya** also holds that in the first case of the Mishna the gold would be viewed as the money and the silver as the item being sold, as can be seen from a story that took place. **Rav** borrowed golden dinars from **R’ Chiya’s** daughter. When the time for repayment came, gold had gone up in value. **Rav** asked **R’ Chiya** whether paying back in higher valued gold coins would be viewed as paying interest, and **R’ Chiya** told him it was not an issue. Now, if gold is viewed as the item being sold, it should be viewed as interest, because one may not borrow produce and pay back the same amount of produce if the market value has increased. Therefore, it must be that **R’ Chiya** held the gold coins are viewed as currency.
 - This is no proof. It may be that when **Rav** borrowed the gold coins he had gold coins of his own that he couldn’t access at the time. In such a case, even if the gold coins are viewed as items to be sold it would be *mutar*.
 - **Rava** said, the following *Tanna* holds that gold is viewed as currency when exchanged for silver coins. A *Braisa* says, that the value of silver coins fluctuates and is measured as its ratio to the value of gold coins, which remains constant. This must mean that silver is

considered the item to be sold (and therefore fluctuates based on market conditions), whereas gold is the form of payment (which remains constant). **SHEMA MINAH.**

- A Mishna says, **B”S** say that a person may not redeem silver coins of maaser sheini onto gold coins and **B”H** say it is mutar. In explaining this machlokes there is a machlokes between **R’ Yochanan and Reish Lakish**. One says that the machlokes is only regarding redeeming silver coins onto golden coins, and the machlokes is that **B”S** hold that in an exchange of gold for silver it is gold that is looked at as the item sold (the “produce”) and silver as the money, and we may not take maaser sheini money and move its kedusha to produce outside of Yerushalayim. Whereas **B”H** hold that silver is the “produce” and gold is the money, and therefore one may take the kedusha from the silver and move it onto the gold. However, all would agree that one may take the kedusha off of *actual* produce and move it onto gold coins, because just as **B”H** hold that silver is “produce” when compared with gold, yet he agrees that silver is “money” when compared with actual produce, the same would be with gold according to **B”S**. The other says that the machlokes would even apply regarding taking the kedusha from actual produce and moving it onto gold coins (**B”S** say gold coins are considered to be produce even when compared to actual produce).
 - **Q:** According to the second explanation, why does the Mishna give the machlokes in terms of silver coins and gold coins? Why not give the bigger chiddush that the machlokes is even regarding actual produce and gold coins?
A: If we would have given the machlokes in that way, we would think that **B”H** would agree that if he was looking to move the kedusha from silver coins to gold coins that he would not be allowed to do that. Therefore, we need the machlokes as written, to teach that **B”H** hold the gold coins are “money” even when compared to silver coins.
 - **Q:** Maybe we can prove that **R’ Yochanan** is the one who says that **B”S** hold that gold coins are “produce” even when compared to actual produce. We find that **R’ Yochanan** says, it is assur to borrow a dinar for a dinar (just as it is assur to borrow an amount of produce and to pay back the same amount of produce, as explained above). Now, this can’t refer to a silver dinar, because all agree that silver relative to silver is considered to be money. Rather, it must be referring to borrowing a gold dinar and returning a gold dinar. Now, this can’t be following **B”H**, because they hold that gold coins are money. Rather, it must be following **B”S**, and we see that **R’ Yochanan** says that they hold gold coins are *always* considered to be “produce”!? **A:** It may be that **R’ Yochanan** holds that **B”S** would allow actual produce to be redeemed onto gold coins. With regard to lending he holds that gold coins are “produce”, since in buy-sell transactions gold is considered as produce when compared with silver, and therefore the market price of gold is said to fluctuate, and so we do not allow this type of loan for the same reason we don’t allow a loan of produce for a return of produce.
 - This must be correct, because **Ravin** said in the name of **R’ Yochanan**, that even though one may not lend gold coins for a return of gold coins, one *may* redeem maaser sheini produce onto gold coins. **SHEMA MINAH.**
 - **Q:** A Mishna says that **B”S** allow maaser sheini produce to be redeemed onto copper coins. Now, if they hold that way for copper coins, surely they would hold that the kedusha can be moved from the produce onto golden coins as well!? **A:** It may be that they allow copper coins, because in the places that they are used, they are more common forms of currency than gold.