



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

Bava Metzia Daf Nun Hey

MISHNA

- The amount to be over ona'ah is 4 silver ma'os out of 24. To be obligated to swear for a partial admission, the claim must be for at least the value of 2 silver ma'os, and the admission must be for at least the value of a perutah.
- There are 5 halachos that require a minimum value of a perutah: the partial admission to make one chayuv to swear must be for at least a perutah; a woman could be miskadeshes with a perutah of value; one is chayuv me'ilah if he benefits the value of a perutah from hekdesch; if one finds the value of a perutah he must call it out to return it; and, if someone steals a perutah value and then swears falsely that he did not, he must follow the owner even to a faraway land to return what he stole.

GEMARA

- **Q:** We have already learned that the amount for ona'ah is 4 out of 24 silver ma'os, so why repeat it here!? **A:** It was stated only as an introduction for the halachos of the claim being 2 silver ma'os and the admission being a perutah.
 - **Q:** These halachos were also stated in a Mishna elsewhere, so why the need to state them here!? **A:** All this was necessary to serve as an introduction for the end of the Mishna, which discusses the 5 halachos which require the value of a perutah.

CHAMEISH PERUTOS HEIN...

- **Q:** Why doesn't the Mishna also list the halacha that the value of ona'ah must be a perutah? **A:** **R' Kahana** said, we see from here that ona'ah only applies if the base amount was the value of an issur (the smallest silver coin), and therefore, ona'ah will always have to be more than a perutah.
 - **Levi** argues and says that ona'ah applies even when the amount of ona'ah is a perutah. **Levi** taught this in a Braisa as well, where he said there are 5 halachos that require a minimum of a perutah: ona'ah; a partial admission; kiddushin; stealing; and Beis Din only sits for a case that involves a minimum of a perutah.
 - **Q:** Why didn't our Mishna mention that Beis Din only sits for a case that involves a minimum of a perutah? **A:** By saying that one is chayuv to return a stolen item only when its value is a perutah, it thereby also teaches that only this amount is significant, and therefore Beis Din would only hold court for this amount.
 - **Q:** If this is true, why did the Mishna have to teach the halacha of stealing and of a lost item? Teaching one would teach that anything less is not significant for any purpose!? **A:** It was necessary to teach both of these. The case of stealing teaches that one must follow the owner even to a faraway land in order to return a stolen item, and the case of the lost item teaches that even if the value of the item drops to below a perutah, it still must be returned.
 - **Q:** Why didn't **Levi** list the case of the lost item? **A:** By saying that one is chayuv to return a stolen item only when its value is a perutah, it thereby also teaches that only this amount is significant, and therefore we would know that the same applies for a lost item.
 - **Q:** If this is true, why did he have to teach the halacha of stealing and that Beis Din would only hold court for this amount? We should learn it from the case of stealing!? **A:** He needed to teach the halacha regarding Beis Din to exclude **R' Katina**, who says that Beis Din must sit to hear a case that involves even less than a perutah.

- **Q:** Why didn't **Levi** teach the case of one who benefits from hekdesch? **A:** He was only discussing chullin, not hekdesch.
- **Q:** Our Mishna, which does discuss hekdesch, should also discuss the halacha that maaser sheini cannot be redeemed unless it is worth at least a perutah!? **A:** The Mishna follows the view (taught previously) that the additional fifth must even be worth a perutah (which means that the maaser itself must be worth at least 4 perutos).
 - **Q:** Why doesn't the Mishna list that the fifth of the maaser sheini must be worth at least a perutah!? **A:** The Mishna is only discussing principal amounts, not additional fifths.
- We mentioned that **R' Katina** said that Beis Din must hear a case even if it involves less than a perutah.
 - **Q: Rava** asked, we learn from a pasuk that one would be chayuv for me'ilah for using less than a perutah of value. This suggests that it is only regarding hekdesch that this is so, but for other cases only a perutah is considered to be significant!? **A:** We must say that **R' Katina** meant that although Beis Din only sits to hear a case that is worth at least a perutah, once it is sitting, it will hear additional claims even if they are for less than a perutah.

MISHNA

- There are five cases of where one must pay an additional fifth: one who b'shogeg eats terumah, terumas maaser, terumas maaser of demai, challah, or bikkurim must add a fifth; one who redeems fruit of the fourth year produce of a tree, or his own maaser sheini must add a fifth; one who redeems his own hekdesch must add a fifth; one who has a perutah's worth of benefit from hekdesch must add a fifth; and one who steals and then swears falsely that he did not steal must add a fifth.

GEMARA

- **Q: Rava** said, **R' Elazar** (ben Pedas) asked, why would the **Rabanan** require that a fifth be paid for the eating of terumas maaser of demai b'shogeg? The **Rabanan** don't strengthen their own gezeiros like those of the Torah!? **A: R' Nachman in the name of Shmuel** said, the Mishna follows **R' Meir**, who says that the **Rabanan** do enact things to strengthen their gezeiros like that of the Torah.
 - This can be seen in a Braisa. The Braisa says that if a woman is given a get without the shaliach having said BNB, and she remarried based on that get, **R' Meir** says that she must get divorced and any child born from her second husband is a mamzer. The **Chachomim** say that the child is not a mamzer. Rather, the shaliach should take the get back from her and give it to her again in front of 2 people and say BNB. Now, why would **R' Meir** say that the failure to say BNB makes the children into mamzeirim? This is based on his statement elsewhere which was said by **R' Hamnuna in the name of Ulla**, that whoever deviates from the exact formulation enacted by the **Rabanan** for gittin must get divorced (if she remarried) and any child she had (from the second marriage) is a mamzer. We see that **R' Meir** holds that the **Rabanan** do enact things to strengthen their gezeiros like that of the Torah.
 - **Q: R' Sheishes** asked, a Mishna says that maaser sheini of demai that was redeemed onto silver coins may then have the kedusha moved to copper coins. Another Mishna regarding regular maaser sheini says that transferring kedushas maaser from silver coins to copper coins may only be done at a time of desperate need. We see that the **Rabanan** do not enact things to strengthen their gezeiros like that of the Torah (they treated demai more leniently)!? **A: R' Yosef** said, although **R' Meir** says they were lenient regarding the redemption of demai, he also says that they were stringent with regard to the eating of demai (and therefore he will hold they were stringent regarding the eating of terumas maaser of demai as well). We see this in a Braisa. The Braisa says, **R' Meir** says the **Rabanan** only allow a chaver who is a wholesaler to sell demai without giving maaser first, but a chaver who is a retailer would have to give demai before selling, even if he decided to sell in large volume. The **Chachomim** say that even a retailer who sells in large volume need not take off maaser from the demai first. We see

from here that **R' Meir** says the **Rabanan** were machmir with regard to the eating of demai.