



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

Bava Metzia Daf Pey Ches

- **R' Yannai** said, tevel is not chayuv in maaser until it sees the face of the house (until it enters through the main entrance), based on the pasuk of "bi'arti hakodesh min habayis". **R' Yochanan** said, even the courtyard of the house would make tevel chayuv in maaser, based on the pasuk of "v'achlu bisharecha v'savei'u".
 - **Q:** What does **R' Yochanan** do with the pasuk of "min habayis"? **A:** That teaches that for a chatzer to make the tevel chayuv in maaser, the chatzer must be like a house – just as a house is guarded, so too the chatzer must be guarded.
 - **Q:** What does **R' Yannai** do with the pasuk of "bisharecha"? **A:** This teaches that it only becomes chayuv if it is brought in through the main entrance, which excludes when it is brought in through the roof or the backyard.
 - **Q:** **R' Chanina Choza'ah** asked, the Braisa (quoted last daf) said that a worker is like an owner in that he need not give maaser before he eats from the produce that he is picking. This would seem to suggest that one who purchased the produce, even in the field, would be chayuv to give maaser first, even though it was not brought into the house or the chatzer!? **A:** **R' Pappa** said, the Braisa is discussing a fig tree that stands in the garden, but whose branches reach into the chatzer, or reach into the house. Therefore, as soon as it is picked it is already in the chatzer or in the house.
 - **Q:** If so, why is the owner patur from giving maaser before he eats it? **A:** The owner's mind is on the tree as a whole, and the process is therefore not considered to be complete until all the fruit has been picked and brought inside. The buyer focuses on what he has purchased, and since that is inside, he is chayuv to give maaser.
 - **Q:** From the Braisa quoted earlier it would seem that a worker would be patur from maaser, but a purchaser would be chayuv at that point, D'Oraisa (because the Braisa learned the exemption from a pasuk). Is that true that D'Oraisa the purchase creates a maaser obligation? A Braisa seems to say that it is only D'Rabanan!? **A:** It is truly D'Rabanan, and the pasuk is brought as an asmachta.
 - **Q:** If so, what does the pasuk of "kinafshicha" actually teach? **A:** It teaches the halacha taught in a Braisa, that a person would not be chayuv malkus for muzzling his worker and preventing him from eating as he picked the produce.
 - **Q:** **Mar Zutra** asked, a Mishna says that the maaser obligation on cucumbers begins when the blossom falls off. This seems to be even if it was not yet brought into the house or the chatzer!? **A:** The Mishna means, when the blossom falls off after having been brought into the house or the chatzer.
 - **Q:** **Mar Zutra the son of R' Nachman** asked, a Braisa says that the maaser obligation on produce begins when the produce is gathered. This seems to be even if it was not yet brought into the house or the chatzer!? **A:** The Braisa means that the gathering of the produce into the house (or the chatzer) is when the maaser obligation sets in. **A2:** We can also answer that **R' Yannai** only requires the produce to be brought into the house when the produce is grapes or olives, which don't have a "goren" stage to them. However, other produce becomes chayuv in maaser when it reaches the various goren stage for that type of produce.
- **Q:** We now have a source that a worker may eat from produce that is attached to the ground, and that an animal may eat from produce that is detached (as explicitly said in a pasuk). How do we know that a worker may eat from detached produce as well? **A:** We learn it from a kal v'chomer from the animal. The animal may not eat from attached produce, and yet it may eat

from detached produce, so a worker, which may even eat from attached produce can certainly eat from detached produce.

- **Q:** We can ask that the animal is different because there is a lav against muzzling it as it works. So, maybe, with regard to a worker, where there is no such lav, he may not eat from detached produce!?
 - **Q:** Maybe we should make a kal v'chomer and say, if one is over a lav for muzzling an animal, for which he has no obligation to help live, then certainly there should be such a lav for muzzling a person, for whom there is an obligation to help live!? **A:** We have learned from the pasuk of "kinafshica" that there is no lav against muzzling a worker.
- **Q:** Based on the above, we are back to the question – how do we know that a worker may eat from detached produce? **A:** The pasuk says the word "kamah" twice. One is extra, and therefore teaches that a worker may even eat from detached produce as well. **A2: R' Ami** said we don't need a pasuk to teach that he may eat from detached produce, because the pasuk says "ki savo b'kerem rei'echa", which can be said to be talking about where the worker was hired to carry detached grapes, and still the pasuk says that he may eat from the grapes.
- **Q:** How do we know that an animal is allowed to eat from the produce attached to the ground? **A:** We have a kal v'chomer from a worker – a worker may not eat from detached produce, and yet he may eat from attached produce, so an animal, which may eat from detached produce may surely eat from attached produce!?
 - **Q:** We can ask that a person is different, because there is an obligation to help him live, whereas there is no such obligation for animals!?
 - **Q:** We should say that there is an obligation to help an animal live, based on a kal v'chomer – if there is such an obligation for a person, who may be muzzled when he works, then surely there should be such an obligation for an animal, who may not be muzzled when he works!? **A:** The pasuk says "v'chai achicha imach", which teaches that this obligation only applies to other Yidden, and not to animals.
 - **Q:** Based on the above, we are back to the question – how do we know that an animal may eat from attached produce? **A:** The pasuk says the word "rei'echa" twice. One is extra, and therefore teaches that an animal may even eat from attached produce as well. **A2: Ravina** said that no pasuk is needed to teach that a worker may eat from detached produce or that an animal may eat from attached produce, because the pasuk that gives the lav against muzzling writes the word "shor" for no apparent reason. We darshen this word to compare the muzzler (the person) to the muzzled (the animal) – just as the person may eat from attached, the animal may as well, and just as the animal may eat the detached, the person may as well.