



Daf In Review – Weekly Chazarah

Maseches Bava Metzia, Daf 72 – Daf 77 Daf

In Review is being sent l'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H

vl'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

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MISHNA

- If one gives produce to a shomer to watch, even if the produce begins to spoil, the shomer should not touch them to sell them. **R' Shimon ben Gamliel** says, he should sell them in the presence of Beis Din, because he is considered to be like someone who is returning a lost item to its owner.

GEMARA

- **Q:** Why do the **Rabanan** say he should not sell the spoiling produce? **A: R' Kahana** said, it is because a person prefers having one kav of his own produce more than having 9 kav of someone else's (so he rather have some spoilage than have money to buy someone else's produce). **R' Nachman bar Yitzchak** said, we are concerned that the owner used this produce to be terumah or maaser for other produce that he has, so it can't be sold since it is only mutar for a Kohen.
 - **Q:** A Braisa says, if one gives produce to a shomer to watch, the shomer may not touch it. Therefore, the owner may use it for terumah or maaser. Now, according to **R' Kahana** this makes sense. However, according to **R' Nachman bar Yitzchak**, the logic is reversed!? **A:** The Braisa means to say, that now that the **Rabanan** said the produce should not be sold, the owner may go ahead and use it for terumah and maaser and not have to worry that maybe the produce was sold.
 - **Rabbah bar bar Chana in the name of R' Yochanan** said, the machlokes in the Mishna is only where the produce is spoiling at a normal rate. However, if it is spoiling quicker than usual, all would agree that it should be sold in Beis Din.
 - **Q:** This clearly argues on **R' Nachman bar Yitzchak**, because his reason would not allow for selling based on rate of spoilage. Does this argue on **R' Kahana** as well? **A:** The reason he gave is that a person would rather have one of his own versus nine from somebody else. Based on that, even if spoilage is happening quickly, it should not be sold.
 - This reason may be an exaggeration, and maybe he would agree that if it is spoiling quickly, the shomer should sell the produce.
 - **Q:** The Braisa said that the owner may rely on the shomer not to have sold the produce, and he may therefore designate the produce as terumah or maaser. Now, according to **R' Yochanan**, the owner should be concerned that the produce began spoiling quicker than normal, and based on that he should not be allowed to use it as terumah and maaser!? **A:** Spoiling quicker than normal is not common, and he need not be concerned for it.
 - **Q:** According to **R' Yochanan**, if it does spoil quickly, should the shomer sell it? Why are we not concerned that the owner used it for terumah? **A:** The shomer would sell it to Kohanim at the lower price.
 - **Q:** According to **R' Nachman bar Yitzchak** we should also sell it to the Kohanim for the lower price!? **A:** The machlokes is as follows. **Rabbah bar bar Chana** holds that it is totally not common for something to spoil more than usual, and even if it does happen, it takes a long time before it happens. Therefore, if the owner used it for terumah or maaser, he would have done so before it began to spoil more than usual. Therefore, at the time that it does spoil to that degree, it can be sold to Kohanim. **R' Nachman bar Yitzchak** holds that such spoilage is common, and if it happens, it happens rather quickly, and therefore, if we tell the shomer to sell it, he may sell it before the owner is done using it as terumah for other produce, which will cause him to eat tevel.

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- **Q:** A Braisa says, **R' Meir** says, if one gave a shomer produce, wine, oil, or honey to watch, and it began to spoil, the shomer should not sell it. The **Chachomim** say he should remedy the situation and sell it in Beis Din, to other people and not to himself. Now, we see that **R' Meir** says it should not be sold, and presumably this is even if the spoilage is more than usual. If so, this refutes **R' Yochanan** who says that all agree that such produce should be sold!? **A: R' Meir** was talking about where there are normal levels of spoilage.
 - **Q:** The case of wine, oil, and honey that spoil are examples of spoilage that are more than normal!? **A:** With those items, once they spoil, there is no salvaging them anymore. Therefore, there is no purpose to sell them at that point.
 - **Q:** The **Rabanan** said to sell the spoiled oil or honey. What use do they have that would create a market for them? **A:** Oil can be used to process leather, and honey can be used to treat a camel's wound.
 - **Q:** The Braisa said that the **Rabanan** said he should "remedy the situation". If it already spoiled, what remedy is there to make? **A: R' Ashi** said, he should sell them to prevent the containers from becoming ruined by the spoilage as well.
 - **Q:** According to **R' Yochanan**, what is the machlokes in this Braisa? **A: R' Meir** is only concerned for a very significant loss, whereas the **Rabanan** are even concerned for a smaller loss.

R' SHIMON BEN GAMLIEL OMER YIMKIREIM B'BEIS DIN...

- **R' Abba the son of R' Yaakov in the name of R' Yochanan** paskened like **R' Shimon ben Gamliel**, and **Rava in the name of R' Nachman** paskened like the **Rabanan**.
 - **Q:** We have already learned that **R' Yochanan** paskens like **R' Shimon** whenever he is quoted in a Mishna, except for 3 cases, so where is there a need to state it here again? **A: R' Abba** does not agree that **R' Yochanan** said that, so he had to specifically say that he paskens like him here.
- From **R' Shimon** we can see that he would hold that Beis Din would tell a relative to work and protect the land of someone who is in captivity until he is freed. From the **Rabanan** we can see that they would hold that Beis Din would not do that.
 - **Q:** Maybe **R' Shimon** says to sell it in the Mishna because the entire principal value stands to be lost, but in the case of the field, since the principle won't be lost, maybe he would agree that no one is installed to work the land!? Also, maybe the **Rabanan** say not to sell the produce in the Mishna, either because of the reason of **R' Kahana** or the reason of **R' Nachman bar Yitzchak**. However, maybe they would agree that someone should be installed to work the captive's land!?
 - **Q:** We find that **R' Yehuda in the name of Shmuel** said that we pasken like **R' Shimon ben Gamliel**, and then **Shmuel** also said that we install a relative to work the field of a captive. Presumably these are based on the same logic, and we see that both rulings should therefore go hand-in-hand!? **A:** It may very well be based on two separate reasons. In fact, we find that **Rava in the name of R' Nachman** paskens like the **Rabanan**, and yet **R' Nachman** also paskens that we *do* install someone to care for the field of the captive. This shows that these halachos are based on different logic.
- We have learned, regarding someone who is in captivity, **Rav** says Beis Din does not appoint a relative to work his property, and **Shmuel** says that they do.
 - In a case where there is a rumor that the captive has died, all agree that we do appoint the relative who would be the heir to work the land. The machlokes is where there is no such rumor – **Rav** says we are concerned the relative will ruin the land (since he has no reason to believe he will be inheriting it, he will not properly take care of it), and **Shmuel** says, since he will at the very least be paid like a sharecropper, he will properly take care of the property.
 - **Q:** A Braisa says, **R' Eliezer** explains the pasuk that says Hashem will get angry and will kill a person and make his wife into a widow and his children into orphans. The result seems obvious based on the fact that he will be killed? Rather, the pasuk is saying that the wives will want to remarry but will not be allowed to, and the children will want to take their inheritance, and we will not allow them to (because

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of the possibility that the man is still alive). We see from here that Beis Din does not even allow the children to go into the property of their father, and refutes **Shmuel**! **A: Rava** said, the Braisa means that we do not allow the children to go into the fields and sell them, but they may go in to work the fields.

- The question of whether we put a relative in to work the land is a machlokes among Tanna'in in a Braisa. The Braisa says, if a relative went to work the property of a captive, we allow him to remain there. Moreover, even if the relative heard that the captive is returning, and he therefore quickly cut off all the produce and ate it, he is a "zariz" and thereby profits from his actions. The "property of a captive" that is being referred to is when someone hears that his father, brother, or someone from who he inherits, has travelled overseas and is rumored to have died. However, if someone goes into an abandoned property to work it, he is removed. The "abandoned property" referred to is when someone hears that his father, brother, or someone from who he inherits, has travelled overseas and is not rumored to have died. **R' Shimon ben Gamliel** said that abandoned property is like property of captives. One who goes into "retushim" abandoned property (property that the owner left abandoned voluntarily, not by force) is removed from the property. The Braisa ends off, that all these people who entered and worked another's property are assessed like a sharecropper and given profits for their work. Now, we see from here (the machlokes between the **T"K** and **R' Shimon ben Gamliel**) that there is a machlokes Tanna'im whether we would put a relative in to work the field of one who was captured.

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- The Braisa had said that all those who enter another's property (the Braisa was discussing the relatives who enter into an abandoned property and care for it) are given a share of the profits like a sharecropper.
 - **Q:** Which case is that referring to? It can't be referring to a field left abandoned by a captive, because the Braisa said that the relative who tends to that field even gets to eat the produce of the field before the captive comes back, so it would be obvious that he gets paid like a sharecropper! It also can't be referring to the case of "retushim" (where the owner left willingly), because the Braisa said that in that case the relative is taken out of the property. It also can't be referring to the "netushim" abandoned property (where the owner travelled overseas and there is no rumor of his death), because according to **Rabanan** we would take the relative out the property and according to **R' Shimon ben Gamliel** the netushim is the same as case of the captive! **A:** It is referring to the case of the netushim, and **R' Shimon ben Gamliel** holds that netushim is like the captive in the sense that we do not remove the relative, but he holds that it is different than captives in that a relative may even eat all the produce before the captive returns, whereas in the case of netushim he is only paid like a sharecropper.
 - **Q:** Why is this case different than the case of a husband who cares for his wife's property and does *not* get paid like a sharecropper? **A:** In that case the husband feels confident that he will not lose the property. However, in the case of the missing owner, the **Rabanan** wanted to incentivize the relative to care for the land. That is why they have him paid like a sharecropper.
 - **Q:** What does the Braisa mean when it says "all those"? **A:** It comes to include what was said by **R' Nachman**, that if an owner had to run away out of fear of capital punishment, he is treated like a captive, and we therefore put a relative into his property to care for it.
 - **R' Yehuda in the name of Shmuel** said, if a person was taken captive, and he left grain, grapes, dates or olives, that were ready to be cut, Beis Din enters the property and appoints an apitrapis who harvests all this produce on behalf of the owner, and then they bring in a relative to care for the land.
 - **Q:** Why don't they leave the apitrapis there? **A:** We don't appoint an apitrapis for adults.
 - **R' Huna** said we do not appoint a minor relative to go into the property of a captive (we are afraid he will ruin the field), or a relative to go and care for the property of a minor (a minor does not protest against a false claim and we are concerned that the relative will claim that it is his inherited property and the minor will not protest), or the relative of a relative of the minor

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whose field needs to be cared for (this is where the person is a maternal brother of the minor's relative, and we are concerned that he will say that his brother, who is related to the minor, inherited the land).

- **Rava** said, we can learn from **R' Huna** (who said that we don't appoint relatives to care for a minor's property, but would appoint a non-relative), that a person cannot make a claim of chazaka on the property of a minor (he cannot claim that he was using the field for 3 years, which shows that he owns the land), even if he continued to occupy the land for 3 years after the minor became an adult.
- The relative that may not be appointed for the minor's property is his paternal brother (because he has the ability to claim that the field is actually his own inheritance from their father). However, it is not a problem for the minor's maternal brother to be put into the property. Also, it is only a problem regarding a field. However, regarding a house it is not a problem even for a paternal brother (because the neighbors can testify that it belongs to the minor). Further, even a field is only a problem if they didn't have a document detailing the dividing of their father's estate. If they did, there is no problem.
 - The Gemara says, all these things are incorrect. We would not let a paternal brother or a maternal brother, we would not allow them in the case of a field or a house, and we would not allow it whether there is a document detailing the division or not.
- There was an elderly woman with 3 daughters. The woman and one of her daughters were captured, a second daughter had a son and then died, and the third daughter remained. **Abaye** was unsure on how to act. He said, we can't allow the remaining daughter to control all the property, because maybe her mother had died, meaning that part of the property was inherited by the grandson, and we cannot have a relative take charge of the property of a minor. We also cannot give half the property to the child, because maybe the elderly woman was still alive, and we don't place a minor into the property of a captured person. Therefore, **Abaye** said, we give half the property to the remaining sister, and the other half we give to an apitrapis to care for on behalf of the child. **Rava** said, once we bring in an apitrapis for the minor, we bring him in to care for the entire property. Eventually they heard that the elderly woman had died, but heard nothing about the daughter who was captured along with her. **Abaye** said, the remaining daughter gets 1/3, the child gets 1/3, and with regard to the third that belongs to the captive sister, we give 1/2 of that to the remaining sister and 1/2 to the child and we appoint an apitrapis for that part that goes to the child. **Rava** said, once we set up an apitrapis for the sixth of the child, we also have the apitrapis care for the other sixth as well.
- Mari bar Isak had a paternal brother from a distant town. When their father died, the brother came and asked him for half the estate. Mari told him that he does not recognize him and will therefore not give him anything. The brother went to **R' Chisda**, who told the brother to bring witnesses that he is Mari's brother. The brother said that people are afraid of Mari and won't testify. **R' Chisda** then told Mari to bring witnesses that he is not his brother, explaining that this method must be taken because people are afraid to testify against him. At the end, witnesses testified that this man was Mari's brother. The brother then demanded that he also get half of the improvements that Mari did to the land. **R' Chisda** told Mari, his claim is valid, based on a Mishna and on a statement of **Rabbah**. **Abaye** said, in the case of the Mishna the adult children know the minor siblings and are mochel their rights to the improvements. However, Mari did not know he had this brother and was therefore never mochel! The matter made its way to **R' Ami**, who said, when a relative steps in to care for a captive's land we at least pay him like a sharecropper, so Mari should at least get that!?! When **R' Chisda** heard that he

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said, the relative entered the captive's land with reshus from Beis Din. Mari entered his father's land without reshus, so the cases can't be compared. Also, the brother was a minor at the time that Mari took possession, and we don't install a relative to care for the property of a minor. When **R' Ami** heard this he said, no one told me that the brother was a minor at the time.

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MISHNA

- If one deposits produce with a shomer, when the shomer returns the produce he may deduct the amount of normal spoilage to such produce. For wheat and rice, it is 9.5 kavs per kor. For barley and “dochan” it is 9 kavs per kor. For spelt and flaxseed it is 3 se'ah per kor. The amount depends on the amount given to the shomer and the time that it was given. **R' Yochanan ben Nuri** said, mice are not particular to eat more if there is more produce. Therefore, the amount to be deducted is always based on one kor – even if there is more than one kor given to the shomer. **R' Yehuda** says, if there was a large amount given to the shomer, he does not deduct anything when he returns it, because large amounts expand (from absorbed moisture) in the same amount that they decrease (from the eating of the mice).

GEMARA

- **Q:** Rice decreases by a lot more than the amount given in the Mishna!? **A: Rabbah bar bar Chana in the name of R' Yochanan** said, the Mishna is discussing peeled rice, which decreases by the amount stated in the Mishna.

L'KUSMIN ULIZERAH PISHTAN...

- **R' Yochanan in the name of R' Chiya** said, this amount is for flaxseed still in their husks. However, if it no longer had the husks, the amount of decrease would be a lot less. A Braisa says this clearly as well.

HAKOL LEFI HAMIDAH...

- A Braisa said, these amounts in the Mishna are deducted for every kor that was deposited, and for every year that it remains by the shomer.

AMAR R' YOCHANAN BEN NURI...

- A Braisa says, the **Rabanan** told **R' Yochanan**, there is still a lot that gets ruined and a lot that gets scattered (that is why the more there is, the more the decrease).
- A Braisa says, when the Mishna says the shomer may deduct these amounts, that is when he mixed his own produce into the produce of the deposit. However, if he had isolated the produce of the deposit, he simply gives the owner whatever remains from the produce.
 - **Q:** Even when he mixed it with his own produce, why don't we just see what proportion of the mixture belonged to the shomer initially, and allow him to take the same proportion from the remaining produce and return the remainder to the depositor? **A:** The shomer had taken produce during this time, and therefore his proportion of ownership is no longer the same as it was.
 - **Q:** Why can't he figure out how much he has used and still work off of the proportion of ownership? **A:** The case is that he doesn't know how much he used.

R' YEHUDA OMER IHM HUYSA...

- **Q:** How much is considered to be a “large amount”? **A: Rabbah bar bar Chana in the name of R' Yochanan** said, it is 10 kor. A Braisa says this as well.
- A Braisa was taught in front of **R' Nachman** that said – when does a shomer make these deductions? When the produce was given to the shomer with the measure used in the granary and returned to the owner using the same type of measure. However, if the produce was given to the shomer with the measure used in the granary and returned to the owner using the type of measure used in the house, he does not take deductions, because the smaller measures increase the measure of total produce. **R' Nachman** asked, are we dealing with fools, who give to a shomer using the large measure and take it back using the smaller measure!? Rather, we must say that the Braisa must have meant that if the produce was measured during the granary season (in the dry season) and

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returned during the granary season, deductions are taken, but if it was given during the granary season and returned in the rainy season, deductions are not taken, because the produce expands from the moisture.

- **Q: R' Pappa** asked **Abaye**, if this is true, a barrel that was filled during the dry season should burst in the rainy season!? **A:** Either we can say that that sometimes actually does happen. Or we can say that because they are packed so tightly in the barrel, they don't expand.

MISHNA

- With regard to wine, the shomer deducts a sixth (which is the amount that is absorbed into the barrel). **R' Yehuda** says it is a fifth.
- With regard to oil, the shomer deducts 3 lugim from 100. This is because 1.5 is for the sediment on the bottom, and 1.5 get absorbed into the keili. If it was refined oil, he does not deduct an amount for sediment. If the keilim were old keilim, he does not deduct the amount for absorption.
 - **R' Yehuda** says, this also applies to someone who sells refined oil throughout the year. He is allowed to deduct 1.5 lugim per 100 to account for the sediment.

GEMARA

- The **T"K** and **R' Yehuda** do not argue. Rather, in the place of the **T"K** the barrels were coated with wax and therefore didn't absorb much. In the place of **R' Yehuda**, the barrels were coated with tar, and therefore absorbed more. Or we can say that each of their places used different materials when making barrels – one absorbed more and the other absorbed less.
- The Gemara says that **R' Yehuda** would buy wine and sell it for a profit. After taking into the account for the amount of absorption, he profited one twelfth.
 - **Q: Shmuel** has said that one may profit up to one sixth, so why did **R' Yehuda** not charge more? **A:** Part of his expenditure was for the barrel and the sediment, which he kept, and was therefore considered profit as well.
 - **Q:** Based on that, he was profiting more than one sixth!? **A:** When taking into account his time and the labor he had to hire, it was not more than one sixth.

IHM HAYA SHEMEN MIZUKAK...

- **Q:** It is not possible to say that old barrels don't absorb anything!? **A: R' Nachman** said, the Mishna is discussing old barrels lined with tar, which do not absorb at all. **Abaye** said, even if it is not lined with tar, once a barrel has absorbed what it can, it no longer absorbs.

R' YEHUDA OMER AHF HAMOCHER SHEMEN MEZUKAK...

- **Abaye** said, we can say that the machlokes is that **R' Yehuda** says, since the agreement was not to buy refined oil, the seller has a right to put sediment into the oil (and therefore the seller may reduce the amount by 1.5 %), and the **Rabanan** argue and hold that the seller has no right to put sediment back in (which is why the buyer need not accept a 1.5% reduction of oil).
 - **Q:** According to **R' Yehuda**, why can't the buyer say, you are charging me for the sediment, but are not giving me the sediment, so I can't sell the sediment!? **A:** We are dealing with someone buying the oil for use, not for resale, and who therefore prefers the refined oil.
 - **Q:** Why can't the buyer say, since you did not mix the sediment in, you were mochel your right to do so, and therefore can't do so anymore!? **A: R' Yehuda** follows his logic from elsewhere, where he holds that we do not assume a person is mochel any rights until he expressly does so.
 - **Q: R' Pappa** asked **Abaye**, maybe the exact opposite inference of their logic should be made. According to the **Rabanan**, it is mutar to mix the sediment back in, but because he did not do so, we assume that he was mochel. And, according to **R' Yehuda**, it is assur to mix in the sediment, and therefore the seller can say, since I may not mix in the sediment, you must accept the 1.5% decrease of product, or else I will not profit from the sale!
- A Braisa says, the same halacha applies to a shomer and a buyer regarding the pieces of the olive seeds that float on top of the oil.

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- **Q:** What is meant by this? It can't mean that just as a buyer doesn't have to accept this as part of his measure, so too one who deposited oil need not accept it back as part of his measure, because the shomer can tell him – you gave it to me like this, so you must take it back like this as well!? **A:** The Braisa means, that just as one who deposited oil with a shomer must accept it back with this, a buyer must accept it as part of his measure as well.
 - **Q:** A Braisa says that **R' Yehuda** says, a buyer does not have to accept this as part of his measure!? **A:** The first Braisa is discussing someone who paid the Tishrei price for oil (this is a lower price, because the oil is not refined) and takes delivery in Nissan (when the oil is already refined). That is why he must accept the seeds floating on top as part of the measure. The second Braisa is discussing a person who paid the Nissan price and took delivery in Nissan. This person does not have to accept the floating seeds as part of his measure.

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MISHNA

- If a person gave a barrel to a shomer to watch, without designating a place for it to be kept, and the shomer then moved it and broke it, if it broke while he was handling it then the halacha is, if he was moving it for his own benefit he is chayuv, and if he was moving it for the benefit of the barrel he is patur. If it broke after he put it down, then whether he moved it for his own benefit or for the benefit of the barrel, he is patur.
 - If the owner had designated a place for the barrel to be kept, then whether it broke while he was handling it or after he had put it down, if it was moved for the shomer's benefit he is chayuv, and if it was moved for the benefit of the barrel he is patur.

GEMARA

- Our Mishna (which says that when the shomer uses the item for his own benefit, which makes him a ganav, he is patur if he puts it back down) follows **R' Yishmael**, who says in a Braisa that a ganav becomes patur when he returns the stolen item even if it is done without the knowledge of the owner.
 - **Q:** If the Mishna is following **R' Yishmael**, the same halacha should apply even if the owner designated a place!? **A:** The Mishna means to say, surely if a place was designated, the shomer's returning the item to that place is considered to be a full return. Even moreover, if no place was designated, his putting down the item is also called a full return, because a return can be done without the knowledge of the owner.
 - **Q:** The next part of the Mishna said, if the owner designated a place then if the shomer moved it for his own benefit, he is chayuv even after he put it back. That can't follow **R' Yishmael**!? **A:** That part of the Mishna follows **R' Akiva**, who argues in the Braisa and says that a ganav must let the owners know that the item is being returned.
 - **Q:** If it follows **R' Akiva** the same halacha should apply even if the owner had not designated a place!? **A:** The Mishna means to say, surely if a place was not designated, the shomer's returning the item to that place is not considered to be a full return. Even moreover, if a place was designated, his putting down the item is also not called a full return, because a return must be done with the knowledge of the owner.
 - **Q:** Are we to say that the first part of the Mishna follows **R' Yishmael** and the next part follows **R' Akiva**? **A:** Yes. In fact, **R' Yochanan** said, "whoever can explain our Mishna to be following one shitah, I will carry his clothing for him to the bathhouse!"
 - **R' Yaakov bar Abba** explained to **Rav** that when the Mishna says the shomer took it for his benefit, it means that he took it in order to steal all of it. **R' Nosson bar Abba** explained to **Rav** that the Mishna means he took it to steal some of it ("shlichus yad").
 - The machlokes between them is whether a shomer becomes chayuv for shlichus yad only if he caused a loss. **R' Yaakov** holds he would only be chayuv with a loss, and therefore in our Mishna, where he did not cause a loss, it must be referring to a full stealing. **R' Nosson** says he would be

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chayuv for shlichus yad without a loss, and therefore the Mishna can be talking about shlichus yad.

- **Q: R' Sheishes** asked, the Mishna doesn't say he "took it", it says he "moved it"!? **A: R' Sheishes** said, the Mishna is discussing where the shomer used the barrel to stand on to get birds, and one who borrows without permission is a gazlan.
- Based on **R' Yaakov, R' Nosson, and R' Sheishes** we can say that the entire Mishna follows **R' Yishmael**, and the reason he is chayuv in the later part of the Mishna is that he did not put it back in the designated place. **R' Yochanan** (who said the Mishna can't be following a single view) holds that the verbiage of the Mishna suggests that it was returned to the designated place.
- We have learned that there is a machlokes between **Rav and Levi** – one says a shomer is only chayuv for shlichus yad if there is a loss, and the other says he is chayuv even without a loss.
 - **Q:** Maybe we can prove that **Rav** holds that he is chayuv even without a loss. A Braisa says that if a shepherd left the flock and a wolf killed a sheep, he is patur. However, if he had put his stick or his bag on the sheep before it was attacked, he would be chayuv (because he used the animal). We asked on that, why would he be chayuv for having put his stick or bag on the animal if it was taken off before the attack? **R' Nachman in the name of Rabbah bar Avuha in the name of Rav** said, the Braisa is discussing where the stick or bag was still on the animal during the attack (it is as if it was stolen by him and not yet returned). We asked, putting these items on it is not a kinyan, so how was he koneh it? **R' Shmuel bar R' Yitzchak in the name of Rav** said, he hit it with the stick and caused it to move. Now, he did not cause a loss in the sheep and yet he is chayuv. It must be that **Rav** holds he is chayuv even without causing a loss! **A:** He caused a loss when he hit it with the stick. In fact, this proves that **Rav** holds he is chayuv only when he causes a loss! **SHEMA MINAH.**
 - If **Rav** holds he is only chayuv when he causes a loss, it must be that **Levi** holds he is chayuv even when he doesn't cause a loss. **R' Yochanan in the name of R' Yose ben Nehorai** explains that **Levi** holds this way, because the concept of shlichus yad is written by shomer chinam and by shomer sachar. Now, it would seem that the Torah could have just written it for shomer chinam and we would say, if a shomer chinam, who is patur if the item is stolen or lost, is still chayuv for shlichus yad, then a shomer sachar, who is chayuv if it is stolen or lost, is surely chayuv for shlichus yad. The reason the Torah wrote it a second time is to teach that he is chayuv even if he didn't cause a loss. **R' Yochanan** himself said that the Torah had to write both, because the kal v'chomer can be refuted by saying that a shomer chinam is more stringent in that he would pay keifel if he stole the item himself, whereas a shomer sachar would not. **R' Yose** says this is not a refutation, because paying principle without being able to swear is more stringent than paying keifel after having sworn falsely.
 - **Rava** said, shlichus yad didn't have to be written by shomer chinam or shomer sachar and we could have learned it from a borrower, who is chayuv for an oneis. We would say, if a borrower, who uses the item with the consent of the owner, is chayuv for oneis as soon as he takes it, then a shomer who used the item (shlichus yad) without the owner's consent is surely chayuv. Why did the Torah write shlichus yad? One is to teach that he is chayuv even without having caused a loss, and one is to teach that we should not use the limitation of "dayo" and say that just as a borrower is patur if the owners were with him, so too the shomer would be patur if the owner was with him.
 - **Q:** According to the view that he is only chayuv if he did cause a loss, why do we need these pesukim regarding shlichus yad? **A:** One is to teach that we not use the limitation of dayo, and one is to teach a gezeirah shava that when the pasuk says "v'nikrav baal habayis ehl ha'elohim", it means that he is made to swear.

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-----Daf דג--42-----

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: R' 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.

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- 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.

-----Daf ל"ג-----43-----

MISHNA

- If a person gives money to a moneychanger to watch, if the money was tied up in a bundle the moneychanger may not use it. Therefore, if the money was lost, he is not chayuv. If the money was given loose, he may use it, and therefore, if it is lost, he is chayuv.
- If a person gave money to a private person to watch, whether the money was tied in a bundle or given loose, he may not use it and therefore if it was lost he is patur.
- With regard to a storeowner, **R’ Meir** said he is treated like a private person, and **R’ Yehuda** says he is treated like a moneychanger.

GEMARA

- **Q:** Why is it that if the money is tied up in a bundle the moneychanger may not use it? **A: R’ Assi in the name of R’ Yehuda** said, the case is where the money was tied and sealed (which shows that the owner does not want it

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used). **R' Mari** said the case is where the bundle was tied with an unusual knot. **Others** say that **R' Mari** asked, what would be the halacha if the money was tied with an unusual knot, and to that the Gemara remains with a **TEIKU**.

MUTARIN YISHTAMEISH BAHEN...

- **R' Huna** said, the moneychanger would even be chayuv for an oneis.
 - **Q:** The Mishna gives the case of where the money was lost, which suggests that it was *not* an oneis!? **A:** The Mishna is referring to a case where it was lost even with an oneis (e.g. it sunk on a ship at sea).
- **R' Nachman** said, the moneychanger would *not* be chayuv for loss due to an oneis.
 - **Q:** **Rava** asked **R' Nachman**, according to you that he is not chayuv for an oneis, it must mean that he is not considered to be a borrower. If so, since he is not getting paid he should be considered a shomer chinam and should be patur even for a regular loss!? **A:** **R' Nachman** said, I will admit that he is considered to be a shomer sachar (and that is why he is chayuv for a regular loss). He becomes a shomer sachar with the benefit that he receives that if a good deal comes along he will use this money to enter the deal.
 - **Q:** **R' Nachman** asked **R' Huna**, a Mishna says that if the gizbar of hekdesch mistakenly gave money of hekdesch to a moneychanger to watch, if he gave it loose and the moneychanger used the money, the gizbar is chayuv for me'ilah (it is as if he is using the money of hekdesch, because by giving it loose he has given permission for the moneychanger to use it). Now, according to you, since the moneychanger is chayuv for an oneis, this means that the money is viewed as if it were loaned to the moneychanger. If so, even if the moneychanger did not use it the gizbar should be chayuv as soon as he gives the money to the moneychanger!? **A:** **R' Huna** said, the Mishna means he would be chayuv even if he did not use it. The reason it said "if he used it" is to stay consistent with the verbiage in the earlier case of the Mishna.

MISHNA

- If a shomer used the deposit and later destroyed it, **B"S** say that he bears the greater loss (if it was worth more when he used it, he pays that amount, and if it was worth more when he destroyed it, he pays that amount. **B"H** say, he pays according to the value at the time of its removal. **R' Akiva** says, he pays according to the value at the time of the claim.

GEMARA

- **Rabbah** said, if someone stole a barrel of wine worth one zuz, and it then broke when it was worth 4 zuz, if he purposely broke it or drank it, he must pay 4 zuz. If not, he only pays one zuz. The reason for the first ruling is, if the barrel was still in existence, he could have returned it and not have had to pay anything. Therefore, in effect, he is stealing it at the time he destroys it, and a Mishna says that a gazlan has to pay based on the value at the time that he stole. The reason for the second ruling is, that at the time it broke he did nothing. The reason he is chayuv is because of the act of stealing he did previously. At that time it was only worth 1 zuz, so that is what he has to pay.
 - **Q:** **B"H** said he must pay "according to the value at the time of its removal". What does that mean? It can't refer to the time it was destroyed, because if the case is where it was worth less than when he stole it, all would agree that he pays the hire amount based on when he stole it!? It can't be referring to where it was worth more at the time it was destroyed, because then **B"H** is saying the same thing as **B"S**!? **A:** It must mean that **B"H** hold that he always pays based on the value when it was removed from the owners.
 - **Q:** Based on this, **Rabbah** would have to hold like **B"S**!? **A:** **Rabbah** would say, if the price increased at the time that he destroyed it, all would agree that he pays the higher value. The machlokes is when the value decreased at the time that it was destroyed. In that case **B"S** say that shlichus yad is chayuv even without a loss taking place, so he is chayuv as soon as he took it, and any decrease in value is therefore considered to have taken place in his own possession, whereas **B"H** hold that shlichus yad is only chayuv if there is some loss, and he therefore does

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not “own” it until a loss occurred. Therefore, since it is worth less at that time, he only pays the lower amount.

- **Q:** Based on this, when **Rava** said that shlichus yad is chayuv even without a loss taking place, he is following **B”S**!? **A:** We will say that the case here is that he used the barrel to step on (as a step-stool) to get birds, and the machlokes is regarding one who borrows an item without permission – **B”S** say he is considered to be a gazlan, and therefore if it later decreases in value that is considered to have happened in his possession and he therefore must still pay the higher amount, whereas **B”H** holds that he is considered to be a borrower, therefore it is not considered to be in his possession, and when the value decreased it is considered to have done so in the owner’s possession.
- **Q:** Based on this, when **Rava** said that according to the **Rabanan**, one who borrows without permission is considered to be a gazlan, he is following **B”S**!? **A:** Rather, we must say that the machlokes is regarding improvements made to the stolen item – **B”S** say such improvements belong to the owner, and **B”H** say they belong to the gazlan, which is actually a machlokes between **R’ Meir and R’ Yehuda** in a Braisa.

R’ AKIVA OMER KISHAAS HA’TVI’AH

- **R’ Yehuda in the name of Shmuel** paskened like **R’ Akiva**, and said that **R’ Akiva** agrees that if there are witnesses who saw him steal the item, that he would have to pay the value based on the time it was stolen. This is based on a pasuk that says he must pay based on the time of his guilt. When he admits to it without witnesses, that time is the time he is in Beis Din. When there are witnesses, it is considered to be at the time of the stealing. **R’ Oshaya** said to **R’ Yehuda**, you say that he agrees when there are witnesses, but **R’ Assi in the name of R’ Yochanan** said that he argues in the case of witnesses as well, because even then he is considered to have become guilty only when he is standing in Beis Din.
 - **R’ Zeira** asked **R’ Abba bar Pappa** to ask **R’ Yaakov bar Idi** whether **R’ Yochanan** paskened like **R’ Akiva**. **R’ Yaakov bar Idi** told him, “**R’ Yochanan** said that the halacha is always like **R’ Akiva**”.
 - **Q:** What was meant by the word “always”? **A:** **R’ Ashi** said he meant that even if there are witnesses, the halacha follows **R’ Akiva** that he pays based on the value at the time of the claim. **A2:** We can also say that he meant that if after the shomer moved the item he put it back in its place and it broke there, he would still be chayuv. This comes to exclude the view of **R’ Yishmael**, who says that returning a stolen item without the knowledge of the owner is sufficient and prevents liability.
- **Rava** paskened like **Beis Hillel**.

-----Daf 72-----44-----

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

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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”!?

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- 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

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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.