

The Weekly Daf



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Bava Metzia 37-43 Week of 20 - 26 Av 5754 / 28 July - 3 August 1994

Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied as part of Daf Yomi during the above dates

This issue is dedicated in memory of Shimon Yishaya z"l ben HaRav Chono Menachem Mendel Shlit"a.

לעילוי נשמת שמעון ישעיה ז"ל בן הרב חנא מנחם מנדל שליט"א

Rodent Rascals

<i>The Case:</i>	A man who is entrusted with safekeeping the grain of his neighbor stores this wheat together with his own. When the time comes to return the grain at the end of the year he is entitled to deduct a certain percentage which is assumed to be the normal loss due to rodents. For every 180 kav received he may deduct one fortieth – 4 1/2 kav – as the amount rodents customarily consume in the course of a year.
<i>The Problem:</i>	If rodents are only capable of consuming 4 1/2 kav of wheat why should he be able to deduct this amount from every 180 kav? What difference does it make to the rodents whether there is a lot or a little – they always eat as much as they can and leave the rest?
<i>The Solution:</i>	The rodents are real rascals. When they see that there is a lot of wheat they not only eat themselves full but invite their friends to join them.

Bava Metzia 40a

When 1 Means More Than 9

<i>The Case:</i>	A man who is entrusted with safekeeping the grain of his neighbor notices that this grain is threatened with virtual annihilation by rodents or spoilage. If he takes the initiative of selling the grain he can return to the owner enough money to purchase nine kav of grain. If he allows the spoilage to proceed only a single kav of the original grain will remain. The ruling of the Sages is that he should not touch the grain but rather allow things to take their course.
<i>The Problem:</i>	Since there is a responsibility to restore lost property to its owner there should be an obligation on this man to prevent a loss to the owner of the grain by selling it before it spoils.
<i>The Solution:</i>	Human psychology is such that a person has a special attachment to something that he worked to produce. It is therefore assumed that the owner prefers being left with one kav of his own original grain to having even nine kav of someone else's grain as a result of his own grain being sold.

Bava Metzia 38a