

A ב"ד

Intro

Today we will Be"H learn מ"ד of בבא מציעא and start פרק הזהב.

Some of the topics we will learn about include:

קנין מטלטלין

One can only acquire movable objects by performing a קנין on the item itself, such as

משיכה, moving it; or

הגבה, lifting it;

However, he does not acquire it with כסף, payment.

It is a מחלוקת whether this is מדאורייתא or only מדרבנן.

זהב וכסף

When two people exchange gold and silver coins, it is understood that the transaction necessarily involves טבעא, money, and פירא, the produce, i.e. the purchased item.

It is a מחלוקת whether the gold is considered the money, because חשיב, it is more valuable, or if the silver is considered the money, because חריף, it is more readily accepted as currency.

B The Mishnah also deals with the same question regarding

כסף ונחשת

Silver and copper coins;

מעות יפות ורעות

Current and disqualified currency;

מטבע ואסימון

Minted and un-minted coins;

איסור סאה בסאה

The רבנן forbade lending merchandise on condition the debtor returns an equal measure of merchandise, because their possible rise in value resembles רבית, interest on the loan.

מעשר שני

Produce of מעשר שני must be consumed in Yerushalayim. Alternately, one may transfer the sanctity of the produce onto coins, which are then brought to Yerushalayim and used to purchase food. In order to facilitate their transportation, one may wish to redeem many coins for less coins of a more valuable currency.

A

קנין מטלטלין

זהב וכסף

כסף ונחשת

B

מעות יפות ורעות

מטבע ואסימון

איסור סאה בסאה

מעשר שני

- C** The Gemara discusses
פירות על דינרין
Whether one may use gold coins to redeem the produce?
And
סלעים על דינרין
Whether one may transfer the sanctity of silver coins onto
gold coins?

C



פירות על דינרין

סלעים על דינרין

1 So let's review...

Zugt di Mishnah
 הזהב קונה את הכסף
 הכסף אינו קונה את הזהב

In an exchange of gold and silver coins, the gold coins are considered the merchandise and the silver coins are considered the payment. Therefore, the transaction is finalized when the seller takes the gold coins, performing a קנין משיכה. However, the transaction is not finalized when the buyer takes the silver coins, because מעות אינן קונות, payment is not a valid קנין.

Similarly, the Mishnah continues,
 הנחשת קונה את הכסף

והכסף אינו קונה את הנחשת
 In an exchange of silver and copper coins, the copper is considered the merchandise, and taking them finalizes the transaction, while the silver is considered the payment, and taking them does not finalize the transaction.

1

מלך

זהב קונה את הכסף
 הכסף אינו קונה את הזהב

In an exchange of gold and silver coins

Gold coins
 are considered
 the merchandise

Silver coins
 are considered
 the payment

Therefore,
 the transaction is finalized
 when the seller
 takes the gold coins,
 performing a קנין משיכה

However,
 the transaction is not finalized
 when the buyer takes
 the silver coins,
 because מעות אינן קונות,
 payment is not a valid קנין

הנחשת קונה את הכסף
 והכסף אינו קונה את הנחשת

In an exchange of silver and copper coins

Copper
 is considered
 the merchandise

Silver
 is considered
 the payment

Taking them
 finalizes
 the transaction

Taking them
 does not finalize
 the transaction

2

The Mishnah continues
 מעות הרעות קונות את היפות
 והיפות אינן קונות את הרעות
 Disqualified coins are considered merchandise relative to current coins; and so performing a משיכה on the disqualified coins effects a קנין, while taking the current coins does not.

2

מעות הרעות קונות את היפות
 והיפות אינן קונות את הרעות

*In an exchange of disqualified coins
 and qualified coins*

Disqualified coins
 is considered
 the merchandise

Qualified coins
 is considered
 the payment

קנין משיכה on them
 effects the קנין

קנין משיכה on them
 does not effect
 the קנין

3 The Gemara explains that Rebbe recorded two versions of this Mishnah:

1.

בילדותיה שני

הכסף קונה את הזהב

In his younger years, he maintained that the transaction is finalized by performing a משיכה on the silver, because

דהבא דחשיב הוי טבעא

כספא דלא חשיב הוי פירא

Gold is considered the currency because it is more valuable, and silver is considered the merchandise because it is less valuable; and so

קני ליה פירא לטבעא

One must perform the קנין on the merchandise, in this case the silver.

3 The Gemara explains
Rebbe recorded two versions of this Mishnah:

1

בילדותיה שני

הכסף קונה את הזהב

The transaction is finalized
by משיכה on the silver

Because ...

כספא
דלא חשיב
הוי פירא

Silver is considered
the merchandise

because
it is less valuable

דהבא
דחשיב
הוי טבעא

Gold is considered
the currency

because
it is more valuable

And so

קני ליה פירא לטבעא

One must perform the קנין on the merchandise,
in this case the silver

4

2.

However,

בזקנותיה שני

הזהב קונה את הכסף

In his later years, he retracted, and ruled that the transaction is finalized by performing a משיכה on the gold, because

כספא דחריף הוי טבעא

דהבא דלא חריף הוי פירא

Silver is considered currency, because as Rashi explains יוצא בהוצאה ועובר לסוחר

They are more readily accepted, and circulate easily;

While gold is considered merchandise relative to silver, because it is a lesser form of currency; and so,

קני ליה פירא לטבעא

One must perform the קנין on the merchandise, in this case the gold.

This is the version Rebbe recorded in our Mishnah.

=====

4

2

בזקנותיה לני

הזהב קונה את הכסף

The transaction is finalized by performing a משיכה on the gold

Because ...

דהבא
דלא חריף
הוי פירא

Gold is considered
the merchandise
because
it is a lesser form
of currency

כספא
דחריף
הוי טבעא

Silver is considered
the currency
because
they are more accepted,
and circulate easily

And so,

קני ליה פירא לטבעא

One must perform the קנין on the merchandise in this case the gold

5 The Gemara now discusses the second case of the Mishnah:
 הנחשת קונה את הכסף
 Copper is considered merchandise relative to silver;
 And explains the necessity for this ruling;

ילדותיה דרבי;
 Since the Mishnah taught in the first case that
 לגבי דהבא פירא הוויא
 Silver is considered merchandise relative to gold, because
 gold is considered the currency because of its greater
 value.
 Therefore, the Mishnah now informs us that for the very
 same reason
 לגבי נחשת טבעא הוי
 Silver is considered currency relative to copper, because
 of its greater value.

וקנותיה דרבי;
 Since the Mishnah taught in the first case that
 לגבי דהבא טבעא הוי
 Silver is considered currency relative to gold because it is
 the preferred form of currency, even though gold is more
 valuable;
 Therefore, we might have thought
 הני פריטי באתרא דסגיי
 אינהו חריפי טפי מכספא
 אימא טבעא הוי
 Wherever copper coins are accepted, they are the
 preferred form of currency, and so they should be
 considered currency relative to silver, even though silver
 is more valuable;
 Therefore, the Mishnah tells us that nevertheless,
 לגבי נחשת טבעא הוי
 Silver is considered currency relative to copper, because
 כיון דאיכא דוכתא דלא סגי ביה
 פירא הוי
 The copper coins are considered the merchandise,
 because there are places where they are not as universally
 accepted as silver coins.

=====

5 הנחשת קונה את הכסף...
 Copper is considered merchandise relative to silver.

Copper is considered merchandise relative to silver.

באבותיה דרבי

הכסף קונה את הזהב

Therefore
 לגבי נחשת טבעא הוי
 Silver is considered
 currency relative to
 copper, because of its
 greater value.

Since
 לגבי דהבא פירא הוויא
 Silver is considered
 merchandise relative to gold,
 because of gold's
 greater value.

באבותיה דרבי

הזהב קונה את הכסף

Therefore, the Mishnah
 tells us that nevertheless,
 לגבי נחשת טבעא הוי
 Silver is considered
 currency relative to copper,
 because

כיון דאיכא דוכתא דלא
 סגי ביה - פירא הוי
 The copper coins
 are considered the
 merchandise,
 because there are places
 where they are not as
 accepted as silver coins.

לגבי דהבא טבעא הוי
 Silver is the preferred
 form of currency, even though
 gold is more valuable;

Therefore,
 we might have thought
 הני פריטי באתרא דסגיי
 אינהו חריפי טפי מכספא
 אימא טבעא הוי
 Wherever copper coins are
 accepted, they are the preferred
 form of currency, and so they
 should be considered currency
 relative to silver, even though
 silver is more valuable;

6 The Gemara brings several sources which seem to agree with רבי ילדותיה דרבי that gold is considered currency relative to silver:

1.

רב אוזיף דינרי מברתיה דר' חייא לטוף אייקור דינרי

Rav borrowed gold דינרין from his cousin, ר' חייא daughter. The value of דינרין then rose relative to silver, but ר' חייא still ruled

זיל שלים לה טבין ותקילין

You must repay her the full amount of gold coins.

Now, as Rashi explains

היוקר והזול תלוי בפירא

The value of currency is considered constant, and the price fluctuations of commodities are always attributed to the merchandise becoming cheaper or more expensive.

Therefore, if

זהב פירא הוי

הוי ליה סאה בסאה ואסור

If gold is considered merchandise relative to silver, Rav's transaction would have been forbidden, because the רבנן forbade lending merchandise on condition that the debtor return an equal measure of merchandise, because their possible rise in value resembles רבית, interest on the loan.

Therefore, it must be that ר' חייא clearly holds

זהב טבעא הוי

Gold is considered currency relative to silver, and so he permitted Rav to repay the exact amount of gold coins.

The Gemara refutes this proof:

רב דינרי הווי ליה

Rav had gold דינרין in his possession when he borrowed the דינרין, and

נעשה כאומר לה

הלוני עד שיבא בני

או עד שאמצא מפתח

One is permitted to borrow merchandise if he will repay the loan with identical merchandise that he already owns but is currently not accessible, because it is considered to have risen in value in the lender's possession.

6

בילדותיה דרבי

הכסף קונה את הזהב

1

רב אוזיף דינרי מברתיה דר' חייא לטוף אייקור דינרי

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Therefore, if

זהב פירא הוי

הוי ליה סאה בסאה ואסור

If gold is considered merchandise relative to silver, Rav's transaction would have been forbidden,

because the רבנן forbade

lending merchandise on condition that the debtor return an equal measure of merchandise,

because their possible rise in value resembles רבית.

Therefore, it must be that ר' חייא clearly holds

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נעשה כאומר לה

הלוני עד שיבא בני או עד שאמצא מפתח

One is permitted to borrow merchandise if he will repay the loan with identical merchandise that he already owns but is currently not accessible, because it is considered to have risen in value in the lender's possession.

7

2. The Gemara cites a ברייתא as proof that זהב טבעא הוי

The Braisa sets the value of various coins, one of which is; דינר של כסף אחד מעשרים וחמשה בדינר של זהב
A silver dinar is valued at 1/25th of a gold dinar; and למאי נפקא מינה לפדיון הבן
This pertains to the חמשת שקלים, the five silver Shekels used to redeem a בכור, a first-born son.

As Rashi explains; Since each שקל equals 4 דינר, the חמשת שקלים equal 20 silver דינר; and since, as the ברייתא teaches, a gold דינר is equal to 25 silver דינר, the value of the חמשת שקלים is pegged at 4/5 of a gold דינר. Therefore, if a Yisroel redeems his son with a gold dinar, he is entitled to five silver dinars in change.

7

זהב טבעא הוי

2

דינר של כסף

אחד מעשרים וחמשה בדינר של זהב

A silver dinar is valued at 1/25th of a gold dinar

למאי נפקא מינה

לפדיון הבן

This pertains to the חמשת שקלים, the five silver Shekels used to redeem a בכור.

As Rashi explains;
Since each שקל equals 4 דינר



חמשת שקלים equal 20 silver דינר



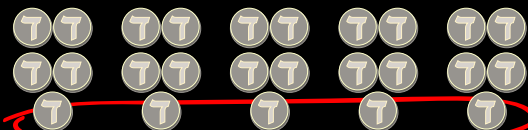
And since a gold דינר is equal to 25 silver דינר



4/5 of a Gold דינר.



The value of the חמשת שקלים is pegged at 4/5 of a gold דינר. Therefore, if a Yisroel redeems his son with a gold dinar, he is entitled to five silver dinars in change.



8 Now, if זהב טבעא הוי משער תנא במידי דקיץ
 If gold is considered currency relative to silver, the ברייתא is indeed giving an absolute value. Even if the value of gold changes relative to silver, the cost of הבן always remains at 4/5 of a gold dinar, because the value of gold, being currency, remains a constant. However, if זהב פירא הוי
 If gold is considered merchandise relative to silver, why would the Braisa peg the חמשת שקלים to an amount of gold which will fluctuate?

Clearly, this ברייתא holds
 זהב טבעא הוי
 =====

8 **זהב טבעא הוי משער תנא במידי דקיץ**
 If gold is considered currency relative to silver, the ברייתא is indeed giving an absolute value.
 Even if the value of gold changes relative to silver, the cost of הבן always remains at 4/5 of a gold dinar, because the value of gold, being currency, remains a constant.
 However, if
זהב פירא הוי משער תנא במידי דאוקיר וזיל
 If gold is considered merchandise relative to silver, why would the Braisa peg the חמשת שקלים to an amount of gold which will fluctuate?
 Clearly, this ברייתא holds
זהב טבעא הוי

9 The Gemara now cites a מחלוקת regarding this matter as it relates to מעשר שני:
 Produce of מעשר שני must be consumed in Yerushalayim. Alternately, one may transfer the sanctity of the produce onto coins, which are then brought to Yerushalayim and used to purchase food. In order to facilitate their transport, one may wish to redeem many coins for less coins of a more valuable currency.
 However, a ברייתא states:
 בית שמאי אומרין לא יעשה אדם סלעין דינרי זהב ובית הלל מתירין
 בית שמאי forbids transferring the sanctity of מעשר שני from silver coins used to redeem it onto gold coins, while בית הלל permits this.

9 *Produce of מעשר שני must be consumed in Yerushalayim. Alternately, one may transfer the sanctity of the produce onto coins, which are then brought to Yerushalayim and used to purchase food.*
In order to facilitate their transport, one may wish to redeem many coins for less coins of a more valuable currency.
 ברייתא
בית שמאי מתירין **בית הלל לא יעשה אדם סלעין דינרי זהב**
 מעשר שני forbids transferring the sanctity of from silver coins used to redeem it onto gold coins, while בית הלל permits this.
 מחלוקת and רבי יוחנן dispute the scope of this

10 Now, רבי יוחנן and ריש לקיש dispute the scope of this מחלוקת:
 One opinion says מחלוקת בסלעים על דינרין They only disagree regarding exchanging silver for gold, because בית שמאי holds כספא טבעא ודהבא פירא וטבעא אפירא לא מחללינן Silver is considered currency relative to gold, and so the silver may not be redeemed onto the gold, because one may not redeem currency onto merchandise. While בית הלל maintains כספא פירא ודהבא טבעא ופירא אטבעא מחללינן Silver is considered merchandise relative to gold, and so the silver may be redeemed onto the gold, since it is merchandise onto currency. However, פירות על דינרין דברי הכל מחללינן All agree that gold is a valid form of currency relative to merchandise, and can be used to redeem the produce of מעשר שני itself.

10 *One opinion says*
מחלוקת בסלעים על דינרין
They only disagree regarding exchanging silver for gold,

<i>hold בית הלל</i>	<i>hold בית שמאי</i>
כספא פירא	כספא טבעא
ודהבא טבעא	ודהבא פירא
ופירא אטבעא	וטבעא אפירא
מחללינן	לא מחללינן

Silver is considered merchandise relative to gold, and so the silver may be redeemed onto the gold, since it is merchandise onto currency.

Silver is considered currency relative to gold, and so the silver may not be redeemed onto the gold, because one may not redeem currency onto merchandise.

However, all agree
פירות על דינרין דברי הכל מחללינן
Gold is a valid form of currency relative to merchandise, and can be used to redeem the produce of מעשר שני itself.

11 The Gemara points out מידי דהוי אכסף לבית הלל This is similar to ר"ב's position regarding silver. Although they maintain כספא לגבי דהבא פירא הוי Silver is considered merchandise relative to gold, they admit לגבי פירא טבעא הוי It is considered currency regarding actual merchandise, and can be used to redeem the produce. Similarly, בית שמאי agree that gold can be used to redeem the produce.

11 *The Gemara points out*
מידי דהוי אכסף לבית הלל
This is similar to ר"ב's position regarding silver.

Although they maintain
כספא לגבי דהבא פירא הוי
Silver is considered merchandise relative to gold, they admit

לגבי פירא טבעא הוי
It is considered currency regarding actual merchandise, and can be used to redeem the produce.

Similarly, בית שמאי agree that gold can be used to redeem the produce.

However, the second opinion holds אף בפירות על דינרין מחלוקת They also disagree regarding using gold to redeem produce:
 בית הלל hold זהב טבעא הוי Gold is considered currency;
 בית שמאי hold זהב פירא הוי Gold is considered merchandise;
 And only silver is a strong enough currency to redeem produce of מעשר שני.

The second opinion holds
אף בפירות על דינרין מחלוקת
They also disagree regarding using gold to redeem produce:

<i>בית הלל</i>	<i>בית שמאי</i>
זהב טבעא הוי	זהב פירא הוי
<i>Gold is considered currency;</i>	<i>Gold is considered merchandise;</i>
	<i>And only silver is a strong enough currency to redeem produce of מעשר שני.</i>