

## Bava Metzia – Simanim

### דף קיד – Daf 114

### פרק ט – המקבל שדה מחבירו

#### 1. If we are regarding a pledge to *hekdesh*

Ravin quoted a question: האומר הרי עלי מנה לבדק הבית – regarding one who says, “It is upon me to give a maneh to the upkeep of the Mikdash,” מהו שיסדרו – what is the halachah regarding assessing his basic needs when collecting his pledge? Does the law of “מסדרין”, which is written regarding ערכין, also apply to ordinary *hekdesh* pledges? Bar Pada and Ilfa were quoted as answering with a *kal vachomer* from a בעל חוב: If regarding a borrower, where the משכון is returned when he needs it, still we do not assess his needs when collecting his debt (because these Amoraim held like the Tanna who holds this way), הקדש – certainly we do not assess his needs when collecting his pledge! Rebbe Yochanan disagrees, because the Torah says “נדר” – then *hekdesh*, where we do not return a משכון – certainly we do not assess his needs when collecting his pledge! Rebbe Yochanan disagrees, because the Torah says “נדר” – a vow regarding *erech*, teaching that just as regarding ערכין, we assess his needs, so too regarding a *hekdesh* pledge, we assess his needs when collecting it.

#### 2. Rabbah bar Avuha meeting Eliyahu in a cemetery of idolators

Rabbah bar Avuha once met Eliyahu in a cemetery of idolators. After asking him two halachic questions, he asked Eliyahu how he could be standing in a cemetery, since he was a Kohen. Eliyahu responded: לא מתני מר טהרות – Did Master not learn *Taharos*? Rebbe Shimon bar Yochai taught in a Baraisa that idolators’ graves are not *metamei* through אהל, because that *passuk* uses the term “אדם”, and idolators are not called אדם. Rabbah bar Avuha replied: בארבעה לא מצינא – I am not able to properly learn the four most relevant *sedorim*; בשיטא מצינא – can I learn all six?! He explained that his extreme poverty detracted from his learning. Eliyahu brought him up to Gan Eden and told him to take off his cloak and collect some leaves. When he was leaving, he heard it being said: מאן קא אכיל לעלמיה כרבה בר אבוב – Who is consuming his share in *Olam [Haba]* like Rabbah bar Avuha? Upon hearing this, Rabbah shook out his cloak, but since it had absorbed the fragrance, he was able to sell the cloak for twelve thousand *dinar*, which he gave to his sons-in-law.

#### 3. משכנו ומת שומטו מעל גבי בניו

Rebbe Yochanan said: משכנו – if [the lender] took a משכון from [the borrower], and returned it to him when he needed it, ומת – and [the borrower] died, שומטו מעל גבי בניו – [the lender] may pull it off his sons for collection. Although one normally cannot collect מטלטלין from orphans, this lender can, because he acquired the משכון. The Gemara challenges Rebbe Yochanan from a Baraisa, based on a necessary emendation, but Rav Ada bar Masna answered that it may be emended differently to agree with Rebbe Yochanan, and say: וכי מאחר שמחזירין – now that we have to return the משכון when the borrower needs it, שלא תהא שביעית משמטתו? – why do we take a משכון in the first place? – So that *shemittah* should not nullify the loan, ולא יעשה מטלטלין אצל בניו – and so [the משכון] should not become like standard מטלטלין in his sons’ possession after he dies.

#### Siman – Kiddie Amusement Park

The children at the Kiddie Amusement Park who were waiting in line at the מסדרין booth, where someone would assess their basic needs for collecting their ערכין pledges, but not their *hekdesh* ones, watched one boy do the “Idolater Cemetery Run” where the goal was to use a cloak to pick up fragrant leaves, right next to where another boy was playing, “Pledge Pursuit,” pretending to be a lender and retrieving the משכון from יתומים after his “borrower” played dead.

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Kiddie Amusement Park



The children at the Kiddie Amusement Park who were waiting in line at the **מַסְדֵּרִין** booth, where someone would assess their basic needs for collecting their **עֲרֻכִין** pledges, but not their *hekdes* ones, watched one boy do the “**Idolater Cemetery Run**” where the goal was to use a cloak to pick up fragrant leaves, right next to where another boy was playing, “**Pledge Pursuit**,” pretending to be a lender and retrieving the **מַשְׁכּוֹן** from יתומים after his “**borrower**” played dead.

# 3 things to remember

1. If we are **מַסְדֵּר** regarding a pledge to *hekdes* like with **עֲרֻכִין**
2. Rabbah bar Avuha meeting Eliyahu in a cemetery of idolators
3. **מַשְׁכּוֹן** ומת שומטו מעל גבי בניו

