

Explanation Sheet · 23b

Bava Metzia 23b · 40 entries

◻ Statement ומחרוזות של דגים...

► Westwood int. · May 27, 2013 · 7:31

The Gemara now brings from our Mishnah. That says: if someone finds a string of fish, he may keep it.

◻ Question אמאי להוי קשר...

► Westwood int. · May 27, 2013 · 26:42

The Gemara asks:

① *The ruling of the finder is permitted to keep it. Assumes that the owner gives up hope since there is no sign.*

② *Why can't it be that the knot made to hold the fish on the string should serve as a sign?*

◻ Answer בקטרא דציידא דכולי...

► Westwood int. · May 27, 2013 · 43:14

All the fishermen used a uniform fisherman's knot.

◻ Question בעו מיניה מרב ששת...

► Westwood int. · May 27, 2013 · 50:58

The Gemara asks:

Let the number of fish on the string be a sign.

◻ Answer במנינא דשוין...

► Westwood int. · May 29, 2013 · 28:59

They were accustomed to string a standard number of fish on the string.

◻ Answer אמר להו רב ששת...

► Westwood int. · Jun 5, 2013 · 26:36

Rav Sheshes answered them:

① *You have learned the answer to your question in a Braisa which says:*

I the case:

if a person finds:

Ⓐ *silver vessels,*

Ⓑ *copper vessels,*

Ⓒ *broken off pieces of lead,*

Ⓓ *all metal vessels.*

II the ruling:

the finder must not return them to the claimer unless:

Ⓐ the claimer gives a sign,

Ⓑ or he accurately states its weight.

② since we see that weight serves as a good sign, The following would also qualify as a sign.

Ⓐ size.

Ⓑ number.

□ Statement וחתיכות של בשר...

► Westwood int. · Jun 5, 2013 · 45:13

The Gemara now brings the case of our Mishnah that if someone finds cut pieces of meat, he may keep them.

□ Question אמאי להוי משקלא...

► Westwood int. · Jun 10, 2013 · 9:27

① Since our Mishnah rules that the finder of cut pieces of meat may keep them, this indicates that they have no sign.

② The Gemara asks:

Why can the weight not be a sign?

□ Answer במשקלא דשוין...

► Westwood int. · Jun 10, 2013 · 29:03

① The custom at that time was to cut the pieces of meat with a uniform weight.

② Therefore, Weight cannot serve as a good sign.

□ Question ותהוי חתיכה גופה...

► Westwood int. · Jun 10, 2013 · 59:08

The Gemara now asks...

Why:

Why can't it be that by identifying the place on the body of the animal, from where the piece of meat came, that it should serve as a sign.

□ Question

► Westwood int. · Jun 24, 2013 · 19:26

The Gemara now asks:

① Why can't it be that by identifying the place on the body of the animal from where the piece of meat came? Then it should serve as a sign?

② The Gemara now brings a Braisa to support its question. That from where the meat came, on the body of the animal, should serve as a sign.

③ The Braisa says:

I Case number one:

(A) The case:

A person found:

(a) Cut pieces of fish.

(b) A bitten piece of fish.

(B) The ruling:

The finder must announce them.

II Case number 2:

(A) The case:

A person found, a barrel of:

(a) Wine.

(b) Oil.

(c) Grain.

(d) Dried figs.

(e) Olives.

(B) The ruling:

The finder may keep them.

④ The Gemara assumes that, by the case of finding, cut pieces of fish. The siman is: where the cut piece of fish came from. On the body of the fish.

⑤ And the Braisa rules that the finder must announce it.

⑥ So we see that where the piece came from on the body of the fish is a good sign.

⑦ So why in our Mishnah is the ruling that one may keep bound cut pieces of meat.

⑧ Why can it not be that the place on the body of the animal will serve as a sign.

unclear 28:35 "bound cut pieces of meat" in ⑦ as transcribed; may be a mishearing (e.g. "found"), not confirmed

Step None: explanation not found in the transcribed classes

· ... הכא במאי עסקינן? Answer

► Westwood int. · Jul 3, 2013 · 44:12

① The Gemara answers:

I The Braisa:

- Ⓐ It is talking about... Cut pieces of fish that were cut into an unusual shape.
- Ⓑ Therefore: their sign is the unusual shape. And not where the piece came from on the body of the fish.
- Ⓒ So, we have no proof from this Braisa that where the piece came from is a good sign.

II The Mishnah:

- Ⓐ It is talking about where the meat was cut in the usual way.
- Ⓑ So, the way it was cut is not a sign.
- Ⓒ And we have no grounds to say that where it came from, on the body of the animal, is a sign.
- Ⓓ Therefore: since there is no sign, the ruling of the Mishnah is that the finder may keep it.

Step None: explanation not found in the transcribed classes

⬢ ... כי הא דרבנן Statement

► Westwood int. · Jul 3, 2013 · 52:24

- ① The Gemara now brings a proof from an actual case that unusual shape is considered to be a good sign.
- ② There is a ruling that one may not leave meat unguarded in the hands of a non-Jew.
- ③ When Rabbah bar Rav Huna wanted to send meat to his wife with a non-Jewish messenger. He would cut the meat in a triangle shape to serve as a sign that the meat came from him.
- ④ So we see that meat/fish that is cut in an unusual shape, is a good sign.
- ⑤ And that was the sign of the cut pieces of fish in the Braisa.
- ⑥ And that, where it came from, on the body of the fish.

unclear 58:11 line ⑥ appears incomplete as transcribed ("And that, where it came from, on the body of the fish")

⬢ ... דיקא נמי דקתני Statement

► Westwood int. · Jul 8, 2013 · 1:33

- ① The Gemara concludes by bringing a proof to its explanation of the Braisa from the setup of the Braisa itself.
- ② There are two cases of fish mentioned in the Braisa:
 - Ⓐ cut pieces of fish.
 - Ⓑ and a bitten fish.
- ③ the ruling of the Braisa by both is:
The finder must announce it.

④ this indicates that in both cases, there is some type of a sign.

⑤ the sign of bitten fish is its bitten shape.

⑥ This is a sign that is on the piece itself.

⑦ If the sign of the cut fish were to be where it came from on the body of the fish, it would be a different type of sign.

the sign of the cut fish is its bitten shape. That of the bitten fish.

⑧ The fact that the Braisa put the two cases together would seem to indicate that both cases share the same category of sign namely, its unique shape.

unclear 6:40 line after ⑦ introduced as "four circle"; number and wording ("the sign of the cut fish is its bitten shape. That of the bitten fish.") unclear

• ...אמר מר חביות. Statement

► Westwood int. · Jul 10, 2013 · 20:39

The Gemara now brings from the end of the Braisa mentioned above:

① If a person finds barrels of:

Ⓐ wine

Ⓑ oil

Ⓒ grain

Ⓓ dried figs

Ⓔ olives

② He may keep them.

• ...והא תנן כדאי. Question

► Westwood int. · Jul 10, 2013 · 22:18

① The Gemara now asks a contradiction from a Mishnah:

I the case:

Someone found pitchers of:

Ⓐ wine

Ⓑ oil

II the din: the finder must announce them

② So we see:

Ⓐ The Braisa holds:

The finder may keep the barrels of wine, and so on.

ⓑ And the Mishnah holds:

The finder must announce them.

⓪ ... א"ר זירא אמר רב. Answer

► Westwood int. · Jul 24, 2013 · 16:17

Gemara ב"ר זירא

① Rabbi Zeira answers, in the name of Rav:

The Mishnah, which says, That the finder must announce, the jugs of wine / oil, ... is talking about where they had been opened and resealed.

② This constitutes a good sign.

③ Therefore, the finder must announce that.

⓪ ... מכלל דברייא בפתוח. Question

► Westwood int. · Jul 29, 2013 · 48:23

Gemara ב"ר מכלל

① The Gemara resolved the apparent contradiction between:

Ⓐ The Braisa, which says that the finder may keep barrels of wine and oil that he found.

Ⓑ and the Mishnah that says that the finder must announce that.

By saying that the Mishnah is talking about resealed barrels.

② the Gemara now asks:

This implies that the Braisa is talking about barrels that were left open.

③ but if so, it is obvious that the finder may keep them.

④ Leaving open barrels leads to the ruining of the contents inside because of bug, snake, contamination, and so on.

⑤ And if so, it would come out that the Braisa is not teaching us anything new.

Step None: explanation not found in the transcribed classes

⓪ Answer

► Westwood int. · Aug 7, 2013 · 7:23

① Rav Hoshaya answered:

While it is true that the Mishnah, which rules that a finder of a pitcher of wine must announce it, is talking about where they were resealed.

② However, it is not necessary to establish the Braisa to be talking about open barrels.

③ But rather, the Braisa is speaking about finding a barrel of wine that was covered, but not resealed.

④ By explaining the Braisa this way, it comes out that

Ⓐ It is talking about where there is not a sign since it was covered but not resealed.

Ⓑ But it is not a clear willful abandonment either since it was not left completely open.

5 And this explanation justifies the Braisa ruling on such a case that the finder may keep it.

⬢ ...אביי אמר אפילו... Answer

► Westwood int. · Aug 26, 2013 · 31:39

① Abaye gives another explanation of the Mishnah/Braisa regarding the ruling of keeping or announcing the barrels, so that it will come out that the Mishnah/Braisa do not contradict one another.

I The Mishnah:

Ⓐ It is talking about where the barrel was found resealed at a time before the storage houses of wine were opened.

Ⓑ It is very unusual to find a resealed barrel at this time.

Ⓒ Therefore, if someone does find a resealed barrel at this time, it is a good sign.

Ⓓ And the finder must announce it.

II The Braisa:

Ⓐ It is talking about finding a resealed barrel at a time of, after the storage places of wine have been opened.

Ⓑ During this time, it is common to find resealed barrels.

Ⓒ Therefore, it is not a good sign.

Ⓓ Therefore, the finder may keep it.

⬢ כי הא דרב יעקב... Statement

► Westwood int. · Aug 27, 2013 · 41:56

① The Gemara now brings an actual case which involved Abaye and his ruling.

② Rabbi Yaakov bar Abba found a barrel of wine after the storage places of wine had been opened.

③ When he came before Abaye, he told him: take the barrel for yourself.

◻ Question בעא מיניה רב ביבי...

► Westwood int. · Aug 27, 2013 · 56:31

Rav Bibi asked from Rav Nachman:

Is the place where the object was found considered to be a good sign or not?

◻ Answer אמר ליה תניתוה...

► Westwood int. · Sep 2, 2013 · 39:20

Rav Nachman answered:

① *The answer as to whether the place is a good sign or not can be learned out from the Braisa, which we already learned:*

② *If someone finds barrels of:*

Ⓐ *wine*

Ⓑ *oil*

Ⓒ *grain*

Ⓓ *dried figs*

Ⓔ *and olives*

③ *he may keep that.*

④ *If place is a good sign, the ruling by the barrels should be that the finder should announce them.*

5 *Since the ruling is that the finder should announce them, it proves that place is not a good sign.*

unclear 42:00 step 5 as transcribed says 'the ruling is that the finder should announce them'; context suggests 'may keep them'. Left as transcribed.

◻ Statement אמר רב זביד הכא...

► Westwood int. · Sep 9, 2013 · 47:19

① *Rav Zevid said:*

we cannot prove from this Braisa, regarding the barrels, that place is not a sign.

② *The Braisa could be speaking about where the barrels were found at the edge of the river.*

③ *And their place is not a sign.*

Step None: explanation not found in the transcribed classes

Step None: explanation not found in the transcribed classes

- ① The Gemara now brings an incident involving Rav pertaining to the matter of whether the place where an object is found is a valid sign or not.
- ② There was a certain man who found pitch in a wine press.
- ③ The man came before Rav to determine the status of the found pitch regarding the halacha of returning lost objects.
- ④ Rav ruled that the man could keep the pitch.
- ⑤ Rav saw that the man was hesitating to take it.
- ⑥ Rav told him: if you are afraid to take it, I am telling you that you can divide it with my son Chiya.
- ⑦ On this incident, the Gemara observes:
Shall we say that Rav holds that the place cannot serve as a sign?
- ⑧ If place would be a sign, Rav should have told the man to announce the found object. Since it is unusual to find pitch in a winepress.

9. Rabbi Abba answered:

Really, the place is a sign.

10. The circumstance behind the case of Rav was that he saw that weeds were growing out of the pitch.

11. Rav understood that the pitch had been sitting for a long time before it was found.

12. Therefore, perhaps place is a sign

13. But here the owner had already given up hope before the finder found it.

14. Hence, the ruling of Rav that the finder may keep it.

unclear 40:29 'Kolin [?]' in ⑥ and ⑦ taken as 'colon' (he says 'colon' explicitly in 9)

unclear 45:46 'before the finder found it' in 13 comes only from the read-back

The Gemara now brings from the end of our Mishnah, which says:

Rabbi Shimon ben Elazar says:

All Anpurya vessels. The finder is not obligated to announce.

◻ Question מאי אנפוריא ...

► Westwood int. · Dec 9, 2013 · 21:28

The Gemara now asks: what is meant by:

"Anpuria"?

◻ Answer אמר רב יהודה אמר ...

► Westwood int. · Dec 11, 2013 · 25:18

Rav Yehuda answers in the name of Shmuel:

"Anpuria" means:

The vessels that were found are so brand new to their owner that he does not recognize them.

◻ Question היכי דמי ...

► Westwood int. · Dec 11, 2013 · 39:47

The Gemara now asks:

What are the other variables of this case of Rabbi Shimon Ben Elazar regarding finding brand-new vessels?

◻ Answer אי אית בהו ...

► Westwood int. · Dec 11, 2013 · 51:50

The Gemara now suggests that perhaps we should say that Rabbi Shimon ben Elazar is talking about finding brand new vessels that have a sign.

◻ Question לעולם דלית בהו ...

► Westwood int. · Dec 18, 2013 · 34:44

The Gemara asks:

① *If they have an identifiable sign, even if they are so brand new, that the owner would not recognize them. But still, why should the ruling be that the finder may keep them?*

② *Let the claimer give the sign and get back his lost object!*

◻ Answer אי דלית בהו ...

► Westwood int. · Dec 23, 2013 · 11:08

Maybe we should say that the case of the brand new vessels is talking about where they do not have a sign.

◻ Question כי שבעתן העין ...

► Westwood int. · Dec 23, 2013 · 14:10

① *If so, then the implication of the Mishnah: that if the eye of the owner could recognize the object (it is not brand new), that the ruling would then be that the finder must announce it ... Why should it be so?*

② *Even if the owner could recognize it, if the object has no recognizable sign, the ruling should be that the finder may keep it.*

The Gemara now asks:

To what practical matter of Halacha does this apply?

① *The Gemara answers: Really? Rabbi Shimon ben Elazar is talking about finding? A brand new vessel without a sign.*

② *In response to the question: If there is no sign, the finder should be permitted to keep it, even if it is not brand new.*

③ *Regarding this, the Gemara answers:*

Rabbi Shimon ben Elazar is teaching the ruling regarding returning a lost object to a Talmid Chacham

④ *A Talmid Chacham may be shown the object he is coming to claim so that he should try and determine whether or not the lost object is his, based on his sight recognition.*

⑤ *It is regarding this ruling, that Rabbi Shimon ben Elazar comes to clarify and say:*

I If the object has no sign, but it is not brand new:

Ⓐ *The Talmid Chacham might be familiar with this lost object.*

Ⓑ *If he is shown the object and he says it is his.*

Ⓒ *The finder should return it to him*

II If the object has no sign, and it is brand new:

Ⓐ *The Talmid Chacham would not be familiar enough with his lost object.*

Ⓑ *Therefore, the finder is not obligated to return the lost object to the Talmid Chacham*

① *The Gemara now brings a teaching of Rabbi Yehuda in the name of Shmuel.*

② *There are three things which, when asked to a Talmid Chacham, he will not speak the truth.*

Ⓐ *If he is fluent in a particular tractate of Gemara.*

Ⓑ *If he was together with his wife.*

Ⓒ *If he was treated well by his host.*

- ① A person about a tractate, the person should respond, I am not knowledgeable in the tractate.
- ② This is true, even if he is an expert in that tractate.
- ③ This shows a measure of humility.
- ④ Tosfos now asks a contradiction based on another Gemara. There the Gemara says:
Regarding the mitzvah of learning Torah, the pasuk says:
"And you shall teach them diligently."
- ⑥ From this we learn out, that someone has the obligation to know Torah so well that it becomes sharp in his mouth.
- ⑦ This means that he is so clear in his knowledge of Torah that if someone asks him, he is ready and able to respond without hesitating and immediately.
- ⑧ ... Teach the Torah that he knows. And not to act humbly and hide his Torah knowledge.
- ⑨ ... To hide one's knowledge of Torah.

unclear 21:23 beginning of ① not made out (before 'A person about a tractate')

unclear 22:44 ③ began 'the reason is because, ...' and was restated as 'this shows a measure of humility'; exact final wording unclear

unclear 27:55 beginning of ⑧ not made out

unclear 29:14 beginning of ⑨ not made out

In truth, the two Gemaras are not contradicting each other.

I The Gemara in Kiddushin:

- ① It is talking about a person who was asked regarding:
 - Ⓐ A ruling.
 - Ⓑ or an instruction.
 - Ⓒ or a person who wants to learn.
- ② There, the ruling is, do not hide your learning, but be prepared in order to do one of the above.

II our Gemara:

- ① It is talking about someone who was asked. For the sake of testing his knowledge.
- ② Here, it is proper to respond: I do not know.
- 3 as it is a measure of humility.

Tosfos now brings to the Gemara which says:

A talmid chacham deviates from the truth.

Regarding the bed.

① Rashi explained that this refers to a case where the talmid chacham was asked if he was together with his wife.

② And even if it happened to be that he was,

③ Still, he should answer that he was not.

④ Since this is a measure of modesty.

⑤ Tosfos says: it is highly unlikely that a person would be asked such a question. Tosfos gives two other explanations. To explain what is meant by being asked about the bed.

I Explanation number one:

Ⓐ A person had an emission, and as a result, he did not come to the beis midrash to study Torah.

Ⓑ When asked upon his return why he did not come to study, he should not say that he had an emission.

Ⓒ but rather:

Ⓐ Because he was sick.

Ⓑ or some other event. That could prevent a person from attending the Bais HaMidrash.

II Explanation number 2:

Ⓐ The Talmid Chacham was asked:

Did you sleep on this bed?

Ⓑ Even if he did, he should say that he did not.

Ⓒ Lest signs of an emission will be seen on the bed.

Ⓓ And this could lead to degrading him.

unclear 39:09 after 'Did you sleep on this bed?' the transcript has 'No.' — unclear whether part of the dictated line