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Bava Kamma Daf 119

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Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h
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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

The Mishna had stated: nor wood nor fruits from those watching fruit.

Rava bought bundles of (grapevine) twigs from a sharecropper. Abaye thereupon said to him: Did we not learn in a Mishna: nor wood nor fruits from those watching fruit? He replied: This ruling applies only to a keeper in charge who has no ownership whatsoever in the substance of the land, whereas in the case of a sharecropper, who has a share in it, I can say that he is selling his own goods.

Our Rabbis taught in a braisa: It is permitted to buy from those watching fruit while they are seated and offering their wares (in the open), having the baskets before them and the scales in front of them. But, in all cases, if they tell the purchaser to hide [the goods purchased], it is forbidden. So also it is permitted to buy from them at the entrance of the garden though not at the back of the garden.

It was stated: In the case of a robber, when would it be allowed to buy [goods] from him? Rav said: Only when the majority [of his possessions] is his, but Shmuel said: Even when only the minority [of them] is his.

Rav Yehudah instructed Adda the attendant [of the Rabbis] to act in accordance with the view that even where [only] a smaller part [of his possessions] is his [it is already permitted to deal with him].

Regarding the property of an informer, Rav Huna and Rav Yehudah argue: One said that it is permitted to destroy it directly, whereas the other one said that it is forbidden to destroy it directly. The one who stated that it is permitted to destroy it directly [maintains that an offence against] the property of an informer could surely not be worse than [one against] his body, whereas the one who held that it is forbidden to destroy it maintains that the informer might perhaps have good children, as it is written: *He, the wicked, may prepare it but the just shall put it on.*

Rav Chisda had [among his employees] a certain sharecropper who weighed and gave (to Rav Chisda), weighed and took (for himself) [the produce of the field]. [According to one explanation, he took half of the produce instead of a third.] He thereupon dismissed him and quoted regarding himself: *And the wealth of the sinner is stored away for the righteous man.*

It is written: *For what is the hope of the hypocrite when he steals, when God takes away his soul.* Rav Huna and Rav Chisda differed as to the interpretation of this verse; One said that it referred to the soul of the robbed person, the other one said that it referred to the soul of the robber. The one said that it referred to the soul of the robbed person, for it is written: *So are the ways of every one that steals; which takes away the soul of the owners,* whereas the other said that it referred to the soul of the robber because it is written: *Do not rob the poor, because he is poor; neither oppress the afflicted in the gate. For*



Hashem will plead their cause and rob the soul of those who rob them.

The Gemora asks: But what then does the other make of the words: *which takes away the soul of the owners?*

The Gemora answers: By 'the owners' means the present owners (i.e., the robber).

The Gemora asks: But what then does the other make of the words: *Hashem will rob the soul of those who rob them?*

The Gemora answers: The reason [of the punishment] is given here: The reason that He will rob the soul of those who rob them is because they had robbed the soul (of their victims).

Rabbi Yochanan said: To rob a fellow-man even of the value of a perutah is like taking away his soul from him, as it says: *So are the ways of every one that steals; which takes away the soul of the owners*, and it is also written: *And they shall consume your harvest and your bread, they will consume your sons and your daughters*, and it is again said: *For the extortion against the children of Judah because they have shed innocent blood in their land*, and it is said further: *It is because of Shaul and because of his House of Blood, because he killed the Gibeonites*.

The Gemora asks: But why cite the further statements?

The Gemora answers: Because you might say that this applies only to his (the victim's) own soul but not to the soul of his sons and daughters. Therefore come and hear: *The flesh of your sons and your daughters*. So also if you say that these statements apply only where no money was given, whereas where money was given, this would not be so, come and hear: *For the extortion against the children of Judah because they have shed innocent blood in their land*. Again, should you say that these statements

refer only to a case where a robbery was directly committed by hand, whereas where it was merely caused indirectly this would not be so, come and hear: *It is because of Shaul and because of his House of Blood, because he killed the Gibeonites*; for indeed where do we find that Shaul killed the Gibeonites? It must therefore be because he killed Nov the city of the Kohanim, who used to supply them (the Gibeonites) with water and food, Scripture considers it as though he had killed them.

The Mishna had stated: But one is permitted to purchase from married women.

Our Rabbis taught in a braisa: It is permitted to buy from married women woolen clothing in Judea and linen clothing in the Galilee, but neither wine nor oil nor flour; nor from slaves nor from children. Abba Shaul says that a woman may sell the worth of four or five dinars for the purpose of making a kerchief for her head. But in all these cases, if it was stipulated that the goods should be hidden, it is forbidden [to buy them]. Charity collectors may accept from them small donations but not big amounts. In the case of olive pressers, it is permitted to buy from them [their wives] olives in large amounts and oil in large amounts, but neither olives in a small quantity nor oil in a small quantity. Rabban Shimon ben Gamliel however says: In Upper Galilee it is permitted to buy from married women olives [even] in small quantities, for sometimes a man is ashamed to sell them at the door of his house and so gives them to his wife to sell.

Ravina came once to the city of Mechoza, and the women of Mechoza came and threw before him chains and bracelets, which he accepted from them. Rabbah Tosfa'ah said to Ravina: Was it not taught: Charity collectors may accept from them small donations but not big amounts? He, however, said to him: These things are considered, for the people of Mechoza (who were wealthy), as small amounts.



Shreds [of wool] which are taken out by the launderer belong to him (for the owner does not care about such a small amount), but those which the teaseler removes (with his brush) belong to the owner. The launderer may remove the three threads at the edge and they will belong to him, but if he took more than that, it will belong to the owner. If they were black upon a white surface, he may remove them all and they will belong to him.

If a tailor left a thread sufficient to sew with, or a piece of cloth that is at least three [fingers] by three [fingers], it will belong to the owner.

Whatever (shavings) a carpenter removes with an adze belongs to him, but that which he removes with a hatchet belongs to the owner. If, however, he was working on the owner's premises, even the sawdust belongs to the owner.

Our Rabbis taught in a braisa: It is permitted to buy shreds [of wool] from the launderer, as they are his. The launderer may remove the two upper threads and they will belong to him. He should not use [of the cloth for stretching and hackling] more than three stiches. He should similarly not tease the garment towards the warp but towards its weft. He may straighten it out along its length but not along its width. If he wants, however, to straighten it out up to a handbreadth, he may do so.

The master had stated: Two threads. The Gemora asks: But did we not learn 'three' in the Mishna?

The Gemora answers: There is no difficulty, as the former statement applies to thick threads and the latter to thin ones.

The braisa had stated: He should similarly not tease the garment towards the warp but towards its weft. The Gemora asks: But was it not taught to the contrary?

The Gemora answers: There is no difficulty, as the latter statement refers to an everyday garment (that can tear easily), whereas the former deals with a distinguished cloak [used very seldom].

The braisa had stated: He should not use [of the cloth for stretching and hackling] more than three stiches.

Rabbi Yirmiyah inquired: Does [the preliminary drawing of the] needle to and fro count as one stitch, or does it perhaps count as two stitches? The Gemora leaves this unresolved.

The braisa had stated: He may straighten it out along its length but not along its width. The Gemora asks: But was it not taught to the contrary?

The Gemora answers: There is no difficulty, as the former statement refers to a garment (whose length is visible when worn) and the latter refers to a belt.

Our Rabbis taught in a braisa: It is not permitted to buy shreds of wool from the teaseler, as it is not his, but in places where it is customary for it to belong to him, it is permitted to buy it. In all places, however, it is permitted to buy from them a pillow full of shreds and a mattress full of shreds. What is the reason for this? The reason being that these articles had [in any case] been transferred to them through the (physical) change [which the shreds underwent].

Our Rabbis taught in a braisa: It is not permitted to buy from a weaver either woolen stoppers, or heddles, or threads of the bobbin or spool remnants of thread. It is however permitted to buy from him a speckled garment, weft thread and warp thread, and (it is also permitted) spun (thread) and woven (cloth).



They said: [Since it is] now stated that 'if spun' it may be purchased from them, what necessity was there to say 'woven'?

The Gemora answers: What is meant by 'woven' is chains [which are woven without first having been spun].

Our Rabbis taught in a braisa: It is not permitted to buy from a dyer either test pieces, or samples or torn shreds of wool. But it is permitted to buy from him a dyed garment, spun threads, and ready-made garments.

The Gemora asks: But [since it has] now been stated that spun threads may be purchased from him, what doubt could there be regarding ready-made garments?

The Gemora answers: What is meant by 'ready-made garments' is felt spreadings (which are made from unspun fibers).

Our Rabbis taught in a braisa: If hides have been given to a tanner, the [part] trimmed off and the [pieces of hair] torn off will belong to the owner, whereas what comes up by the rinsing in water would belong to him (i.e., the tanner).

The Mishna had stated: If they were black upon a white surface, he may remove them all and they will belong to him.

Rav Yehudah said: A launderer is named 'katzara' (a shorty) and he takes that which he shortens.

Rav Yehudah again said: All the [three] threads can be reckoned for the purpose of techeiles (i.e., the tzitzis; regarding the distance that the strands should be placed away from the end of the garment), though Yitzchak my son is particular about them (and he removes the threads before attaching the tzitzis).

The Mishna had stated: If a tailor left a thread.

The Gemora asks: How much is sufficient to sew with?

Rav Assi said: The length of a needle and beyond the needle.

The question was raised: [Does this mean] the length of a needle and as much again as the length of the needle, or perhaps the length of the needle and anything beyond the needle?

Come and hear from a braisa: If a tailor left a thread which is less than sufficient to sew with or a piece of cloth less than the width of three [fingers] by three [fingers], if the owner is particular about them they would belong to the owner, but if the owner is not particular about them they would belong to the tailor. Now, there is no difficulty if you say that 'the length of a needle and beyond the needle' means as much again as a needle, for a thread less than that can still make a stitching (for a loop); but if you say that 'the length of a needle and anything beyond the needle' for what purpose could a thread which is less than this be fit? We may therefore conclude from this that it means 'the length of a needle and beyond the needle as much again as the length of the needle.' This indeed proves it.

The Mishna had stated: whatever a carpenter.

The Gemora points out a contradiction to this from the following braisa: Whatever a carpenter removes with an adze or cuts with his saw belongs to the owner, but that which comes out from under the drill or from under the plane or is sawed with the saw belongs to [the carpenter] himself!?

Rava said: In the place where our Tanna [of the Mishnah lived] two kinds of implements were used, the larger called 'ax' and the smaller called 'adze,' whereas in the



place of the Tanna of the braisa, there was only one implement [i.e., the larger] and they still called it 'adze.'

The Mishna had stated: If however he was working on the owner's premises.

Our Rabbis taught in a braisa: Workmen chiseling stones do not become liable for robbery [by retaining the chips in their possession]. Workmen who prune trees or prune vines or prune shrubs or weed plants or prune vegetables, if the owner is particular [about the waste materials] become liable for robbery, but if the owner is not particular about them they will belong to the employees.

Rav Yehudah said: Also hops and green grain are [under such circumstances] not subject to the law of robbery, though in places where the owners are particular they would be subject to the law of robbery.

Ravina thereupon said: Masa Mechasia is a place where the owners are particular about them.

WE SHALL RETURN TO YOU, HAGOZEIL BASRA
AND TRACTATE BAVA KAMMA IS CONCLUDED

DAILY MASHAL

The people of Maa Mechasya took care not to let their herds graze just anywhere.

Most tractates end with an agadah, though unrelated to the previous sugya, in accord with the saying: "Learn to end well" (Derech Eretz Zuta, Chapter 2). According to Meharsha, Rashi follows suit and ends his current commentary (s.v. Masa Mechasya) with the (apparently superfluous) word tov. Apparently, Rashi could have just said that Masa Mechasya is pastureland but specifically chose to add the description mir'eh tov ("good pastureland") to end the tractate with that word.

Chosen Yeshuos tells a relevant story. A talmid chacham was writing and decided to go to sleep, ending his work with the passage "demons dance there" (Yeshayahu 13:21). The next day, on starting to write, he was startled by someone sitting opposite him with a face like glowing coals who said, "You did wrong by ending yesterday's writing with that passage. I am the Guardian of Pages, a demon, and I am ready to strike whenever a teacher or writer ends his work with a negative passage." Chosen Yeshuos adds that it is a mitzvah to inform teachers and writers to end each day's work with a positive topic.

And on that note, MAZEL TOV!!!!!!!