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Bava Metzia Daf 29

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Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

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

### **Lost Article Rulings**

1. The proceeds of the sale of a lost article may be used by the finder according to Rabbi Tarfon and therefore if the money is lost, he is responsible for them.
2. Rabbi Akiva holds that he may not use the money and therefore if the money is lost, he is not responsible for them.
3. Rav Huna says that even Rabbi Tarfon only allows a person to use money that was attained from the proceeds of the sale of a lost article, but if one finds money, he does not have the right to use it. When a person takes care of a lost article for a period of time and then he sells it, since he put effort into the lost article, he has the right to use it according to Rabbi Tarfon, but if one finds money, since he put no effort into it, he may not use it.
4. Rabbah holds that someone watching a lost article has the status of an unpaid custodian and he is exempt if it gets stolen or lost.
5. Rav Yosef holds that someone watching a lost article has the status of a paid custodian and he is liable if it gets stolen or lost. Rav Yosef holds that since guarding a lost article is a *mitzvah* and someone who is occupied in a *mitzvah* is exempt from performing any other *mitzvah* which comes his way. Consequently, if a poor person comes along, he is exempt from giving him money. Therefore, he is considered a paid custodian.

6. If someone finds a *sefer*, he shall read from it once every thirty days, but he may not read from a section that he has not read before and he may not read together with another person. A *sefer* that is made of rolled up parchment will get moldy if it is not opened up for a long period and therefore he should read from it, but he may not read from a section that he has never read because he will keep it open for too long and he may not read together with another person because one will pull it one way and the other will pull it the other way and it may rip.

7. If he doesn't know how to read, he should roll the *sefer* from the beginning until the end every thirty days.

8. If someone finds a garment, he should shake it out every thirty days and hang it up for the benefit of the garment, but he should not hang it up for his own honor.

9. If someone finds silver or copper utensils, he should use them for the benefit of the utensil, but he should not wear them out. When a person finds utensils, he should store them in the ground because that is the best way to guard them, but silver and copper utensils will rust if they are kept in the ground for too long and therefore he should take them out on occasion and use them.

10. If gold or glass utensils are found, they should not be touched until the arrival of Eliyahu ha’Navi.



11. If a person finds a sack or a box which is below his dignity to carry, he should not pick it up.
12. Shmuel says that if someone finds *tefillin* in the market, he should sell them immediately and hold on to the money because it will be easy for the owner to purchase another pair.
13. If someone borrows a *Sefer Torah*, he should not lend it out to others and he should not read from a new section that he has never read and he should not read the same section together with another person.
14. He should not read from a borrowed *Sefer Torah* the same portion twice and he should not read a portion together with the *Targum* and he should not open it more than three columns and he should not read together with two other people even if they are reading different sections.
15. A person who is given a *Sefer Torah* to guard should roll it every twelve months according to the *Tanna Kamma* and he may read from it when he rolls it but he may not open it up in order to read from it.
16. Sumchus says someone who receives a new *Sefer Torah* to guard should roll it every thirty days and if he receives an older one, he should roll it once every twelve months.
17. Rabbi Eliezer Ben Yaakov says even if he receives a new *Sefer Torah*, he should roll it every twelve months.
18. Rish Lakish says that Rebbe stated that a borrower may not lend out to others and a renter may not rent out to others.

## QUESTIONS AND ANSWERS FROM YESTERDAY'S DAF to refresh your memory

Q: For how long must someone announce that he found a lost article?

A: R' Meir says – until his neighbors know about it, and Rabbi Yehudah says – until seven days after the three festivals.

Q: How does one announce a lost article?

A: Rav Nachman – he announces the object. Rav Yehudah – he announces that he found something.

Q: Is one obligated to trouble himself with a lost article forever?

A: No.

## DAILY MASHAL

### Wasteful heirs

Rabbi Yochanan advises someone who has inherited a lot of money and wants to waste it to “wear fine linen, use glassware and hire workers without supervising them”. In his commentary on our *sugya*, the *Rav Pe'alim* wonders about this statement. If Rabbi Yochanan wanted to prevent us from wasting money, he should have told us not to wear fine linen, use glassware or hire workers without supervising them. Rabbi Yosef Chayim zt”l explains that sometimes a person has no choice but to waste his money. A rich person, for instance, may suspect that his heirs will use his money wrongfully. He does not want to leave his assets to them but if he gives his wealth to charity or to others, his heirs may take revenge. Rabbi Yochanan advised such people how to rid themselves of their wealth without others’ noticing their intention.