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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 Mishnah had stated: What happens with the money?  
Rabbi Tarfon said: He may use it etc.

Now, this dispute is [apparently] only if he [the finder] did use it. But if not, [all would agree] that if it is lost he is free [from responsibility].

Shall we say that this refutes Rav Yosef? For it has been stated. A custodian of lost property: Rabbah ruled, he is regarded as an unpaid custodian; Rav Yosef maintained that he is considered as a paid custodian! — Rav Yosef can answer you: As for theft and loss, all agree that he is responsible. They differ only in respect to [unavoidable] accidents, for which a borrower [alone is responsible]. Rabbi Tarfon holds: The Rabbis permitted him [the finder] to use it, therefore he is a borrower in respect of it. While Rabbi Akiva holds that the Rabbis did not permit him to use it, therefore he is not a borrower in respect of it. - If so, why does Rabbi Akiva say ‘therefore’? For if you agree that they differ concerning theft and loss, it is well; therefore, it is taught: Rabbi Akiva maintained: He must not use it; therefore, if it is lost he bears no responsibility. For I might think he is a paid custodian, in accordance with Rav Yosef’s view, and responsible for theft and loss; hence we are informed, ‘therefore’ [etc.] i.e., since you say that he may not use it, he is not a paid custodian, nor is he responsible for theft and loss. - But if you say that all agree that he is responsible for theft and loss, while they differ only in respect of [unpreventable] accidents, for which a borrower [alone is responsible], what is the meaning of Rabbi Akiva’s ‘therefore’? Surely he [the Tanna] should have stated thus: Rabbi Akiva maintained: He must not

use it [and no more]; then I would have known myself that since he may not use it, he is not a borrower, hence not responsible. - What then is the need of Rabbi Akiva’s ‘therefore’? — On account of Rabbi Tarfon’s ‘therefore’. And what is the purpose of Rabbi Tarfon’s ‘therefore’? — He means this: Since the Rabbis permitted him to use it, it is as though he had done so, and he is [therefore] held responsible for it. - But it is taught: [If] it is lost!? — It is in accordance with Rabbah; for Rabbah said [elsewhere]: They were stolen by armed robbers; while ‘lost’ means that his ship foundered at sea.

Rav Yehudah said in the name of Shmuel: The halachah follows Rabbi Tarfon. (28b4 – 29b1)

Rachavah had in his charge an orphan’s money. He went before Rav Yosef and enquired, “May I use it?” He replied, “Thus did Rav Yehudah say in the name of Shmuel: The halachah follows Rabbi Tarfon.” Thereupon Abaye protested: But was it not stated in regard to that: Rav Chelbo said in the name of Rav Huna: This refers only to the purchase price of a lost article, since he took the trouble to take care of it, but not to money which was itself lost property; and these are likewise as lost money? — Rav Yosef said to him, “Go then; they do not permit me to give you a favorable ruling.” (29b1)

MISHNAH: If one finds books, he must read them every thirty days; if he cannot read, he must roll them, but he must not study [a subject] from them for the first time. Nor may another person read with him. If one finds a garment, he must give it a shaking every thirty days, and

spread it out for its own benefit [to be aired], but not for his honor. Silver and copper utensils may be used for their own benefit, but not [so much as] to wear them out. Gold and glassware may not be touched until Eliyahu comes (and reveals to us who the real owner is). If one finds a sack or a basket, or any object which it is undignified for him to take, he need not take it. (29b1 – 29b2)

GEMARA: Shmuel said: If one finds tefillin in a sack, he must immediately turn them into money [i.e., sell them] and set aside the money.

Ravina objected: If one finds books, he must read them every thirty days; if he cannot read, he must roll them. Thus, he may only roll, but not sell them and set aside the money!? — Abaye said: Tefillin are obtainable at Bar Chavu's house; whereas books are rare. (29b2)

Our Rabbis taught in a Baraisa: If one borrows a Torah scroll from his friend, he may not lend it to another. He may open and read it, providing, however, that he does not study [a subject] from it for the first time; nor may another person read it together with him. Likewise, if one deposits a Torah scroll with his friend, he [the latter] must roll it once every twelve months, and may open and read it; but if he opens it in his own interest, it is forbidden. Sumchos said: In the case of a new one, every thirty days; in the case of an old one, every twelve months. Rabbi Eliezer ben Yaakov said: In both cases, every twelve months.

The Master said: If one borrows a Torah scroll from his friend, he may not lend it to another. - Why particularly a Torah scroll; surely the same applies to any article? For Rabbi

Shimon ben Lakish said: Here Rebbe has taught that a borrower may not lend [the article he borrowed], nor is a renter permitted to rent [to another person]!? — It is necessary to state it in reference to a Torah scroll. I might have said: One is pleased that a mitzvah be fulfilled by

means of his property; therefore, we are informed [otherwise].

He may open and read it. - But that is obvious! Why else then did he borrow it from him? — It was necessary to state the second clause: providing, however, that he does not study [a subject] from it for the first time.

Likewise, if one deposits a Torah scroll with his friend, he [the latter] must roll it once every twelve months, and may open and read it. - What business has he with it? Furthermore - if he opens it in his own interests, it is forbidden; but have you not said: He may open and read it!? — It means this: If when rolling it he opens and reads it, that is permitted; but if he opens it in his own interests, it is forbidden.

Sumchos said: In the case of a new one, every thirty days; in the case of an old one, every twelve months. Rabbi Eliezer ben Yaakov said: In both cases, every twelve months. - But Rabbi Eliezer ben Yaakov is identical with the first Tanna!? — But say thus: Rabbi Eliezer ben Yaakov said: In both cases, every thirty days. (29b2 – 29b3)

The Mishnah had stated: But he must not study [a subject] from it for the first time, nor may another person read with him. - But the following contradicts it: He may not read a section from it and revise it, nor read a section from it and translate it. He may also not have more than three columns open [simultaneously], nor may three read out of the same volume. Hence two may read!? — Abaye said: There is no difficulty: here the reference is to one subject; there, to two. (29b3 – 29b4)

The Mishnah had stated: If one finds a garment, he must give it a shaking every thirty days.

Are we to say that a shaking benefits it? But Rabbi Yochanan said: He who has a skilled weaver in his house has to shake his garment every day!? — I will tell you:



[shaking] every day is injurious, once in thirty days is beneficial to it. Alternatively, there is no difficulty: this [our Mishnah] refers to [shaking] by one person; the other [Rabbi Yochanan's dictum], by two people. Another alternative: this [the Mishnah] refers to [a shaking, i.e., beating] by hand; the other, with a stick. Or again, one refers to wool, the other to flax. (29b4)

Rabbi Yochanan said: A person should drink a cup prepared by sorcerers, but not a cupful of lukewarm water. Yet, that applies only to a metal utensil, but there is no objection to an earthenware one. And even of a metal utensil, this holds good only if it [the water] has not been brought to a boil; but if it is boiled, it does not matter. Moreover, that is only if he throws no spice wood in it; but if he does, there is no objection.

Rabbi Yochanan said: If one is left a fortune by his parents, and wishes to lose it, let him wear linen garments, use glassware, and engage workers and not be with them. 'Let him wear linen garments' — this refers to Roman linen; 'use glassware' — viz., white glass; 'and engage workers and not be with them' — refer this to [workers with] oxen, who can cause much loss. (29b4 – 30a1)

#### 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.