The Weekly Daf

by Rav Mendel Weinbach
Dean, Ohr Somayach Institutions
22 Shimon Hatzadik Street, POB 18103, Jerusalem 91180, Israel
Tel: 972-2-581-0315 Fax: 972-2-581-2890 E-Mail: ohr@virtual.co.il Web: http://www.ohr.org.il

OHR SOMAYACH TANENBAUM COLLEGE

Bava Metzia 16-22 Week of 27 Tamuz - 5 Av 5754/ 7 - 13 July 1994

Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied as part of Daf Yomi during the above dates

This issue is dedicated in the memory of Z''N Reuven B''R Moshe Yaakov HaLevi Z''TL,Rubin Guy, R. Ph.
My father, a pharmacist, taught me by example that Torah is the true "Sa'am HaChayim."

Double Entendre
Double Entendre - What Did He Mean?

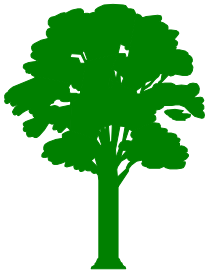
A Man is appointed by the owner of a field to tithe his produce for him but without instructions as to whether he should set aside this *trumah* for the *kohen* from his better crops or the average ones. Although the field owner usually gives *trumah* from his average crops, this agent decided to take from the better ones. If the owner indicates his disapproval, the tithing was done without a mandate and is invalid, otherwise the tithing is valid.

How do we know whether the owner was happy about his agent's decision to take from the better crops? If upon becoming aware of what had been done he suggests to the agent that he should have taken from *even better* crops, we must investigate as to whether there are indeed better crops. If there are, his statement is sincere and is a retroactive indication that he was in approval of the agent's decision. But if there are no better crops, the statement is understood as a sarcastic criticism.

Should the owner take the initiative of adding some of the same quality crops to those already set aside as *trumah,* this is considered a sign of retroactive approval even if he made no comment whatsoever.

Bava Metzia 22a

Why Mar Zutra Didn't Eat



Three Sages – Ameimar, Mar Zutra and Rav Ashi – visited the orchard of Morey bar Issak. In the owner's absence his sharecropper welcomed the Sages and placed before them dates and pomegranates. While Ameimar and Rav Ashi partook from the fruits, Mar Zutra abstained because he had heard no explicit permission from the owner. When the owner arrived and saw the fruit served to his honored guests he chided the sharecropper for not offering them some of the *better* fruits. When Mar Zutra persisted in his abstinence his colleagues challenged him on the basis of the above rule that such a statement by an owner is considered an expression of approval.

Mar Zutra's response was to cite the observation of the Sage Rava that such a statement is construed as approval only in the case of *trumah* which is a *mitzvah* and we may therefore assume that he approves of doing a *mitzvah* in superior fashion. In the case of the orchard owner, however, we must consider the possibility that Morey bar Issak may have made that statement only because he was embarrassed to express his disapproval of the sharecropper's generosity in front of the Sages.

Bava Metzia 22a