21.9.12 114a (איבעיא להו) → 115a (הרי זה לא ישאנה)

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1. וְאָם־מֶןךְ הוֹאֹ מֵשֶׁרְ לֶבְרֻ וְתָּשֶׁמִידוֹ לְבְּעֵ וַבְּכֹּוֹ וְבָשֶׁרֶידְ אֹחָוֹ הַבֹּלֹן וְבָשֶׁרִידְ אֹחְוֹ הַבֹּלֹן וְבָשֶׁרִידְ אַחְוֹ הַבֹּלֹן וְבָשֶׁרִידְ אֹחְוֹ הַבֹּלֹן וְבָשֶׁרִידְ אַחְוֹ הַבְּלַבְי וְמָשְׁהְ בֹּוֹ בִּי וְבָּלָבְי וְבְּבְּי וְבָּבְי וְבָשְׁהְ בֹּוֹ בִי וְבְּבְי וְבְּבְּי וְבְבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּי וְבְּבְּיוֹ וְבְּבֶבְי וְבְּבְּבְי וְבְּבְּבְי וְבְבְּבְי וְבְבְּבְי וְבְבְּבְי וְבְבְּבְי וְבְבְיבְ וְבְבְּבְי וְבְבְּבְּבְי וְבְּבְבְי וְבְבְּבְ וְבְבְּבְּי וְבְבְּבְ וְבְבְּבְּבְי וְבְבְּבְ וְבְבְּבְּי וְבְבְּבְ וְבְבְּבְּבְ וְבְבְּבְּבְיוֹ וְבְבֵּבְ וְבְבְּבְיוֹ וְבְבְּבְ וְבְבְּבְּבְיוֹ וְבְבֵבְי וְבְבְבְיוֹ וְבְבֵּבְ וְבְבְבְיוֹ וְבְבְּבְּבְי וְבְבְבְי וְבְבְבְיוֹ וְבְבֵּבְ וְבְבְבְּבְוֹ וְבְבְבְּבְ וְבְבְבְבְוֹ וְבְבְּבְ וְבְבְבְּבְ וְבְבְבְּבְוֹ וְבְבְּבְ וּבְבְבְּשְׁרְ וְבְבְבְּבְּבְיוֹ וְבְבְבְּבְי וְבְבְבְּבְיוֹ וְבְבְבְּבְיוֹ וְבְבְבְּבְעוֹ הָשְׁבְבְּבְיוֹ וְבְבְבְּבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבָבְי וְבְבְבְיוֹ וְבְבְבְי וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְי וְבְבְבְי וְבְבְבְיוֹ בְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבְיוֹ וְבְבְבִיוֹ וְבְבְבְיוֹ בְבְיוֹ בְבְיוֹ בְבָבְיוֹ וְבְבְיוֹ וְבְבְיוֹ וְבְבְיוֹ וְבְבְיוֹ וְבְבְיוֹ וְבְבְיוֹ וְבְבְיוֹ וְבְבְיוֹ בְבְבְיוֹ בְבְבְיוֹבְבְיוֹ בְבְבְיוֹבְבְיוֹ בְבְבְיוֹ בְבְבְבְיוֹ בְבְבְיוֹבְיוֹ בְּבְבְיוֹבְבְיוֹ בְבְבְיוֹ בְבְבְיוֹ בְבְבוֹ וְבָבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְיוֹ בְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוּ בְבְבוֹ בְבְבְיוֹ בְבְבוֹ בְבְבוֹ בְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ בְבְבוֹ בְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ בְבְבוֹבְיוֹבְיוֹ בְבְבוֹ בְבְבוֹ בְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ בְבְבוֹ בְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ וְבְבְבוֹ בְבְבוֹ בְבְבוֹ וְבְבְבוֹ בְב
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- I Continuation of discussion סידור לבע"ח
 - a Question: do we make סידור לבע"ח (arranging his seizure of borrower's property per protocol of ערכין)
 - i Flashpoint: do we infer מיכה::מיכה from ערכין (vv 1-2)
 - ii Side response: to question about סידור for someone who owes הקדש
 - 1 בע"ח from בע"ח who returns pledge (in evening e.g.), has no ק"ו בר פרא ואילפא (doesn't return)
 - ערכין::הקדש v3 compares *ר' יוחנן*
 - (a) Rejoinder: juxtaposition to apply נידון בכבודו (being vital organ::whole body) to assessment for הקדש
 - 3 *Proposal*: we should allow סידור לבע"ח based on ערכין from ערכין (if no return, but we make י"ט...)
 - (a) Block: v1 limits ערכין to ערכין
 - (b) Response: v1 means he has to have been poor from moment of נדר until now
 - 4 Proposal: we should enable day/night return of משכון form הקדש based on משכון from בע"ח, yet סידור, yet, מחזירין, או
 - (a) Response: v4 limits day/night return to הקדש excluded as it needs no ברכה
 - (i) Block: v5 everything requires ברכה
 - (ii) Rather: end of v4 חזרה → ולך תהיה only applies to the needy (מקדיש not מקדיש)
- II Story of אליהו in the non-Jewish graveyard; חבה בר אבוה encountered him there and asked him:
 - a מיכה::מיכה response . *סידור לבע"ח* (vv 1-2)
 - b May a naked man take תרומה. per v6? Response may not
 - in non-Jewish graveyard (on assumption that בהן in non-Jewish graveyard (on assumption that טומאת אהל חטב"י per v7
 - i בר"י explained his inability to study all 6 סדרי משנה (→didn't know רשב"י ruling) due to poverty
 - ii אליהו took him to ג"ע, he collected leaves which made his garment smell nice; returned and sold it
- III Clarification of v8: may not sleep in anyone's עשיר (even עשיר, may not reside with you overnight; ok if עשיר
- IV משכון: if someone lends to his fellow, may not take משכון, need not return it to him and violates all these prohibitions
 - a משכון may not take משכון; if he does, must return it and violates all these prohibition comment on סיפא
 - משכון may not take משכון; if he does, must return it but only if he took משכון at a different time than הלוואה
 - i But if: he took משכון at time of loan, need not return it –
 - ii And: he violates all these prohibitions is a comment on משכון (if he took משכון at a different time and didn't return)
- V מדרש הלכה on vv 4, 9 (רבא) v9 day clothing may be taken at night as pledge; v4 night clothing may be taken during day VI Status of משכון after death of היו:
 - a ד' יוחנן. may seize it from heirs
 - i Challenge: מילטלין: we return a מטלטלין and then re-seize to avoid השמטת כספים and so it doesn't become מטלטלין to heirs
 - 1 Implication: we can only seize from heirs because we re-seized
 - 2 *Answer*: we already had to "repair" text of that ברייתא read that the reason for original seizing is to avoid and to keep it from being מטלטלין with heirs

VII מדרש הלכה on v10 – may not enter home of לווה, but may enter home of ערב to seize ערב – per vv11-12

- a V12: if it is a financial debt, pay it (התרפיסת יד=התרפט) and if something else, get friends to appease him
- b Other perspective on v10: may not enter his house to seize pledge for loan
 - i But: may enter to seize payment due for rental or labor
 - ii However: if the debt was turned into a loan may not enter to seize pledge

VIII משנה יגב: May not take a pledge from any widow, whether rich or poor, per v13

- a ברייתא. prohibition applies to rich or poor widows, per ר' יהודה
 - i ד"ש. may take pledge from wealthy widow
 - 1 Reason: may not take from poor widow, since you must return it to her and that constant interaction will start rumors
 - 2 Observation: ר' יהודה doesn't interpret the reasons for מצוות and ממות does?
 - (a) Challenge: ר"י: apples v14 only to women who sway his heart
 - (i) פיש. even one who sways his heart is prohibited; v14 applies even to righteous women
 - 3 Answer: ד"י is not דרש טעם המקרא, but v14 explicit lays out the reason for the prohibition
 - (a) And: תורה usually is דורש טעם המקרא; therefore he reasons that the תורה didn't need to add לא יסור
 - (i) Therefore: לא יסור is there to extend איסור to even one wife who turns his heart away