

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

Bava Metzia 9-15 Week of 21 - 27 Tamuz 5754/ 30 June - 6 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 Simja de Ades

Finders Keepers — But Who?

The Rules:	1. If someone is hired for a specific job, anything he finds during the period of his employment belongs to him. If he is hired, however, to work in general for the day whatever he finds belongs to his employer.	2. Whatever a Jewish servant finds belongs to him.
The Problem:	A servant is required to do all general work for his master. Why then is he entitled to keep what he finds?	
The Resolutions: according to:	Rabbi Yochanan	The Sage Rava
	Rule Two applies to a highly skilled servant, such as a jewelry craftsman, whose labor is generally of more value to his master than that of a lost object he will pick up. It is therefore the implicit will of the master that he be relieved of any responsibility to serve him in any way other than practicing his craft. The servant may therefore retain the unusually valuable object he finds and compensate his master for the time lost.	Rule Two applies only to a situation in which the servant is able to pick up the lost object without losing any time at the expense of his master.
		Rule Two applies to every situation except one in which the worker has been specifically hired to find lost objects for his employer; i.e., the river has overflowed leaving enough fish on the shore to make it worthwhile hiring someone to gather them.

Bava Metzia 12b

When Labor Becomes Bondage

A day laborer may quit his job even in the middle of the day (unless such a work stoppage causes actual damage to his employer due to his indispensability in that particular situation) without suffering any loss in the wages due him for the hours in which he worked.

This freedom to quit is based on the Divine warning that "the Children of Israel are My servants" and not the servants of servants. To compel a worker to continue working against his will is tantamount to bondage.

This aversion to bondage also finds expression in the law (Shulchan Aruch, Choshen Mishpat 373:3) prohibiting a Jew to enter into an agreement to work for someone for more than three years, because at that point he changes his status from employee to something approaching bondage.

Bava Metzia 10a

©1994 Ohr Somayach Institutions - All rights reserved.

Dedication opportunities are available for **The Weekly Daf** — Please contact us for details.

The Weekly Daf is available on **InterNet**. To subscribe, send the message "sub dafyomi {firstname} {lastname}" to listproc@virtual.co.il

This publication contains words of Torah. Please treat it with due respect. Do not let this land on a garbage heap.

Bava Metzia 9-15

For the week of 21 - 27 Tamuz 5754/ 30 June - 6 July 1994

Issue #21

Production Design: Lev Seltzer ∞