



OVERVIEW DAF 9

Section 1: Does Riding Acquire?

Version #1 - Support from a Beraisa:

Beraisa: If two people were pulling a camel OR leading a donkey, or one was pulling and one was leading, they acquire this way.

R. Yehudah says: Only pulling (Meshichah) acquires a camel; only leading acquires a donkey.

Version #1: The Beraisa mentions pulling and leading, but NOT riding. This shows riding doesn't acquire!

Rejection: Actually, riding ALSO acquires. It only mentions pulling and leading because the Tana'im (teachers) argue about these. The first Tana says either animal is acquired through either method.

Question: If so, the Beraisa should teach them together! "If two people were pulling or riding, whether a camel or donkey..."

Answer: One of the two methods doesn't work for one of the two animals:

- Some say: Pulling doesn't acquire a donkey
- Others say: Leading doesn't acquire a camel

Version #2 - Support from the End:

The Beraisa says: "...In this way, they acquire."

Question: What does "this way" EXCLUDE?

Suggestion: It excludes riding!

Rejection: No, it excludes pulling a donkey or leading a camel (the methods R. Yehudah says don't work).

Problem: That's R. Yehudah's opinion!

Answer: The first Tana holds ONE of these (pulling a donkey OR leading a camel) works. R. Yehudah holds NEITHER works.

Question from Another Beraisa:

Beraisa: Reuven was riding a donkey and Shimon was holding the halter:

- Reuven acquires the donkey
- Shimon acquires the halter

This shows riding acquires!

Answer: Here too, he conducts it with his legs (so it's really a type of leading).

Problem: If so, he should also acquire the halter!

Four Possible Answers:

Answer #1: Reuven acquires the donkey and HALF the halter; Shimon acquires HALF the halter.

Objection: Granted, Reuven acquires half (because the other half is held by Shimon who CAN acquire). But Shimon only holds half - the donkey holds the other half. How can Shimon acquire anything?!

Answer #2: Reuven acquires the donkey and the entire halter, EXCEPT the part in Shimon's hand, which Shimon acquires.

Objection: Even if you say Levi can lift something for Yehudah to acquire, that only works if Levi INTENDS for Yehudah to acquire. Here, Shimon holds the halter to acquire it for HIMSELF. If he doesn't acquire, will Reuven acquire through Shimon's holding?!

Answer #3 (Rav Ashi):

- Reuven acquires the donkey and the part of the halter in the donkey's mouth
- Shimon acquires the part he holds
- Neither acquires the REST of the halter

Answer #4 (R. Avahu): The Beraisa means exactly what it says. Shimon acquires the ENTIRE halter because he could yank it and it would come to him.

Rejection: This is wrong!

Proof: Imagine a garment is half on the floor and half on a post. David picks up the floor part, then Moshe picks up the post part. Would David acquire it all because he could yank it?! No! (When two pick up a found item, we don't care if one end was higher.)

Section 2: Abnormal Acquisition

R. Eliezer's Teaching:

Beraisa - R. Eliezer: Riding in a FIELD or leading in a CITY acquires.

Answer: Here too, he conducts with his legs.

Question #1: If so, that's also leading (not riding)!

Answer: The Beraisa discusses two kinds of leading.

Question #2: Then why doesn't riding in a city acquire?

Two Answers:

Answer #1 (Rav Kahana): It's ABNORMAL to ride in the city (so it doesn't count as proper acquisition).

Rav Ashi's objection: If so, someone who picks up a wallet on Shabbos doesn't acquire, because it's abnormal to do so! But that's not true - what he did, he did, and he acquires! Same applies here!

Answer #2 (Rav Ashi): The Beraisa discusses BUYING. The seller told him "acquire it the way people normally do."

When is riding normal (and he would acquire)?

1. He's on a public road (in the city)
2. He's a distinguished person (it's beneath him to lead it)
3. The buyer is a woman (she's too weak to lead it)

4. He's lowly (he rides anywhere - average people prefer leading because riding looks immodest)

R. Elazar's Question:

Question: If Reuven told Shimon "Pull (Meshoch) this animal to acquire the objects ON it," what happens?

Objection: Reuven didn't say he's transferring ownership! (His words just suggest Shimon should intend to acquire.)

Correction: If he said "Pull this animal AND acquire the objects on it," what's the law?

Does pulling the animal acquire the objects? (The Gemara never answers this question.)

Rava's Analysis:

Rava's question: R. Elazar only asked about acquiring the OBJECTS. This implies that if he said "acquire the animal AND the objects," he WOULD acquire!

Problem: An animal is like a MOVING Chatzer (courtyard). A moving courtyard is invalid for "Kinyan Chatzer" (acquiring through one's property)!

Suggestion: Maybe the animal stood still?

Rejection: Anything that doesn't acquire when it moves doesn't acquire when it stands still either.

Answer: The animal was TIED UP and couldn't move.

Challenges to Rav:

Rav Papa and Rav Huna brei d'Rav Yehoshua: If fish jumped into a ship, would you say the ship doesn't acquire them because it's a moving courtyard?!

Rava's answer: The ship isn't a moving courtyard. It stands still - the WATER moves it.

Ravina: If a woman was walking in public and her husband threw a divorce document (Get) in her garment or basket, wouldn't she be divorced?!

Rav Ashi's answer: The basket stands still - SHE moves it.

Section 3: Taking Pe'ah For a Poor Person

Background on Pe'ah:

Pe'ah is the corner of a field that farmers must leave for poor people to collect.

The Mishnah:

Reuven was riding an animal and saw a found item (Metzi'ah). He told Shimon "give it to me":

Two scenarios:

1. If Shimon took it and said "I acquired it myself" → He acquired it
2. If he said this AFTER giving it to Reuven → Reuven acquired it

Related Mishnah About Pe'ah:

R. Eliezer: If Levi gathered Pe'ah and said "this is for Ploni the poor person," he acquired it for him.

Chachamim: He must give it to the first poor person he finds.

Ula's Explanation:

They argue about when Levi is RICH:

R. Eliezer's logic: Migo (since) if Levi made his property free (Hefker), Pe'ah would be appropriate for him (he'd be poor), even when he's rich, it's appropriate for him. Migo he could acquire it for himself, he can acquire it for a poor person.

Chachamim: We only use ONE Migo (one logical extension), not two!

Everyone agrees: A poor person CAN acquire for another poor person. Migo he could acquire for himself, he can acquire for another.

Rav Nachman's Challenge:

Rav Nachman: Actually, they argue about when Levi is POOR!

Reasoning: Everyone is like a poor person regarding a found item (anyone can take it). In our Mishnah, if Reuven told Shimon "give it to me" and Shimon says he took it for himself, he acquired it.

Analysis:

- If they argue about a poor person, our Mishnah follows Chachamim (so Reuven doesn't acquire)
- But if everyone agrees a poor person can acquire for another poor person, our Mishnah doesn't match EITHER opinion!

Bottom Line: This section explores which methods of acquiring animals actually work (riding, leading, pulling), when abnormal methods count, and whether you can acquire things for other people in various situations.