



Week 2: BM Chapter 1-2

Mishnah in Depth

מסכת בבא מציעא

Tractate Bava Metzia



Dr. Rachel Furst
Drisha, Fall 2024

(Arbitrary?) Division of “Tractate Nezikin” into 3 equal units (of 10 chapters each)

Baba Kama (First Gate)	Tractate Nezikin, Chapters 1–10
Baba Metzia (Middle Gate)	Tractate Nezikin, Chapters 11–20
Baba Batra (Final Gate)	Tractate Nezikin, Chapters 21–30

(Thematic) Division of “Tractate Nezikin” into 5 equal units (of 6 chapters each)

Baba Kama, Chapters 1–6	Damages to property
Baba Kama, Chapter 7 – Bava Metzia, Chapter 2	Theft/robbery and lost property
Bava Metzia, Chapters 3 –8	Guardians (<i>shomrim</i>) and workers
Bava Metzia, Chapter 9 – Bava Batra, Chapter 4	Land and buildings
Bava Batra, Chapters 5 –10	Assorted topics (including sales, inheritance, and legal documents)

Maimonides' *Mishneh Torah*

1. *Sefer Ha-Madda* (The Book of Knowledge)
2. *Sefer Ahavah* (The Book of Love [of God])
3. *Sefer Zemanim* (The Book of Seasons)
4. *Sefer Nashim* (The Book of Women)
5. *Sefer Kedushah* (The Book of Holiness)
6. *Sefer Hafla'ah* (The Book of Utterances)
7. *Sefer Zera'im* (The Book of Seeds)
8. *Sefer Avodah* (The Book of Temple Service)
9. *Sefer Korbanot* (The Book of Sacrifices)
10. *Sefer Taharah* (The Book of Purity)
11. *Sefer Nezikin* (The Book of Damages)
 - *Nizpei Mamon*: property damage
 - *Geneivah*: theft
 - *Gezeilah v'Avidah*: robbery and lost property
 - *Hovel uMaziq*: one who injures another
 - *Rotzeah uShmirat Nefesh*: murderers and life preservation
12. *Sefer Kinyan* (The Book of Acquisition)
13. *Sefer Mishpatim* (The Book of Civil Laws)
14. *Sefer Shofetim* (The Book of Judges)



Maimonides, *Mishneh Torah*, *Sefer Zemanim* – Yemen, 14th century

Exodus 23:4

When you encounter your enemy's ox or ass wandering, you must take it back.

Deuteronomy 22:1-3

If you see your fellow Israelite's ox or sheep gone astray, do not ignore it; you must take it back to your peer. If your fellow Israelite does not live near you or you do not know who [the owner] is, you shall bring it home and it shall remain with you until your peer claims it; then you shall give it back. You shall do the same with that person's ass; you shall do the same with that person's garment; and so too shall you do with anything that your fellow Israelite loses and you find: you must not remain indifferent.

שמות כג:ד

כִּי תִפְגַּע שׂוֹר אֹיְבֶיךָ אוֹ חֲמֹרוֹ תֵּעָה הַיָּשׁב תְּשִׁיבֵנוּ:
לוֹ: {ס}

דברים כב:א-ג

לֹא-תִרְאֶה אֶת-שׂוֹר אֹחִיךָ אוֹ אֶת-שֵׂיוֹ נִדְחִים
וְהִתְעַלַּמְתָּ מֵהֶם הַיָּשׁב תְּשִׁיבֵם לְאֹחִיךָ: וְאִם-לֹא
קָרֹב אֹחִיךָ אֵלֶיךָ וְלֹא יִדְעָתָּ וְאִסְפָּתוֹ אֶל-תּוֹךְ
בֵּיתְךָ וְהֵינָה עִמָּךְ עַד דָּרַשׁ אֹחִיךָ אֹתוֹ וְהִשְׁבֹּתוֹ לוֹ:
וְכֵן תַּעֲשֶׂה לְחֲמֹרוֹ וְכֵן תַּעֲשֶׂה לְשִׂמְלֹתָו וְכֵן תַּעֲשֶׂה
לְכָל-אֲבֹדֹת אֹחִיךָ אֲשֶׁר-תֵּאבֹד מִמֶּנּוּ וּמִצֹּאתָהּ לֹא
תִּוְכַל לְהִתְעַלֵּם: {ס}

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Leviticus 19:13

You shall not defraud your fellow [Israelite]. You shall not commit robbery. The wages of a laborer shall not remain with you until morning.

Leviticus 5:23

...when one has thus sinned and, realizing guilt, would restore either that which was gotten through robbery or fraud, or the entrusted deposit, or the lost thing that was found,

שמות כג:ד

כִּי תִפְגַּע שׂוֹר אֹיְבֶיךָ אוֹ חֲמֹרוֹ תֵּעָה הַשֵּׁב תְּשִׁיבֵנּוּ.
לוֹ: {ס}

דברים כב:א-ג

לֹא-תִרְאֶה אֶת-שׂוֹר אֹחִיךָ אוֹ אֶת-שֵׂיִן נִדְחִים
וְהִתְעַלַּמְתָּ מֵהֶם הַשֵּׁב תְּשִׁיבֵם לְאֹחִיךָ: וְאִם-לֹא
קָרֹב אֹחִיךָ אֵלֶיךָ וְלֹא יִדְעָתָּ וְאִסְפַּתָּו אֶל-תּוֹךְ
בֵּיתְךָ וְהֵינָה עִמָּךְ עַד דָּרַשׁ אֹחִיךָ אֹתוֹ וְהִשְׁבֹּתוּ לוֹ:
וְכֵן תַּעֲשֶׂה לְחֲמֹרוֹ וְכֵן תַּעֲשֶׂה לְשִׂמְלֹתָו וְכֵן תַּעֲשֶׂה
לְכָל-אֲבֹדֹת אֹחִיךָ אֲשֶׁר-תֵּאבֹד מִמֶּנּוּ וּמִצֹּאתָה לֹא
תִּוְכַל לְהִתְעַלֵּם: {ס}

ויקרא יט:יג

לֹא-תַעֲשֶׂק אֶת-רֵעֶךָ וְלֹא תִגְזַל לֹא-תִלֵּין פְּעֻלַּת
שְׂכִיר אֹתָהּ עַד-בֹּקֶר:

ויקרא ה:כג

וְהִיֹּה כִּי-יִחַטָּא וְאָשַׁם וְהִשְׁיב אֶת-הַגְּזֹלָה אֲשֶׁר גָּזַל
אוֹ אֶת-הָעֹשֶׂק אֲשֶׁר עָשָׂק אוֹ אֶת-הַפְּקֻדֹן אֲשֶׁר
הִפְקֹד אֹתוֹ אוֹ אֶת-הָאֲבֹדָה אֲשֶׁר מָצָא:

Mishnah Bava Metzia, 1:1

If **two** people came to court **holding a garment**, and **this** one, the first litigant, **says: I found it**, and **that** one, the second litigant, **says: I found it**;

this one **says: All of it is mine**, and **that** one **says: All of it is mine**; how does the court adjudicate this case?

This one **takes an oath that he does not have** ownership of **less than half of it**, and **that** one **takes an oath that he does not have** ownership of **less than half of it**, and **they divide** it.

If **this** one **says: All of it is mine**, and **that** one **says: Half of it is mine**, since they both agree that half of the cloak belongs to one of them, the conflict between them is only about the other half.

Therefore, **the one who says: All of it is mine**, takes an oath **that he does not have** ownership of **less than three parts**, i.e., three-fourths, **of it**, and **the one who says: Half of it is mine**, takes an oath that he does not have ownership of **less than one-quarter of it**.

This one **takes three parts**, and **that** one **takes one-quarter**.

משנה בבא מציעא, א:א

שְׁנַיִם אוֹחֲזִין בְּטֵלִית,
זֶה אוֹמֵר אֲנִי מְצֵאתִיהָ וְזֶה אוֹמֵר אֲנִי מְצֵאתִיהָ,
זֶה אוֹמֵר כֻּלָּה שְׁלִי וְזֶה אוֹמֵר כֻּלָּה שְׁלִי,
זֶה יִשָּׁבַע שְׂאִין לוֹ בָּהּ פְּחוֹת מִחֲצִיָּה, וְזֶה יִשָּׁבַע
שְׂאִין לוֹ בָּהּ פְּחוֹת מִחֲצִיָּה,
וַיִּחְלְקוּ.

זֶה אוֹמֵר כֻּלָּה שְׁלִי וְזֶה אוֹמֵר חֲצִיָּה שְׁלִי,
הָאוֹמֵר כֻּלָּה שְׁלִי, יִשָּׁבַע שְׂאִין לוֹ בָּהּ פְּחוֹת
מִשְׁלֹשָׁה חֲלָקִים, וְהָאוֹמֵר חֲצִיָּה שְׁלִי, יִשָּׁבַע
שְׂאִין לוֹ בָּהּ פְּחוֹת מִרְבִּיעַ.
זֶה נוֹטֵל שְׁלֹשָׁה חֲלָקִים, וְזֶה נוֹטֵל רְבִיעַ:

Mishnah Bava Metzia, 1:2

If **two** people **were sitting** in a riding position **on** the back of **an animal**, e.g., a donkey or camel, **or one was sitting** in a riding position on the animal **and one was leading** it by its halter, and **this one says: All of it is mine, and that one says: All of it is mine**, how does the court adjudicate this case? **This one takes an oath that he does not have** ownership of **less than half of it, and that one takes an oath that he does not have** ownership of **less than half of it, and they divide** it. **When they admit** to the validity of each other's claims **or when they each have witnesses** attesting to their claims, **they divide** the disputed item **without** taking **an oath**, as an oath is administered only in a case where the parties have no other way to prove their claims.

משנה בבא מציעא, א:ב

היו שנים רוכבין על גבי בהמה, או שהיה אחד רוכב ואחד מנהיג, זה אומר כלה שלי, וזה אומר כלה שלי, זה ישבע שאין לו בה פחות מחציה, וזה ישבע שאין לו בה פחות מחציה, ויחלקו. בזמן שהם מודים או שיש להן עדים, חולקים בלא שבועה:

Mishnah Bava Metzia, 1:3

If one **was riding on an animal and saw a found item, and said to another** person who was walking beside him: **Give it to me**, if the pedestrian **took it and said: I have acquired it** for myself, **he has acquired it** by means of lifting it, even though he did not see it first. But **if, after giving it to** the one riding the animal, **he said: I acquired it for myself at the outset, he has said nothing** and the rider keeps the item.

משנה בבא מציעא, א:ג

הָיָה רוֹכֵב עַל גְּבִי בְּהֵמָה וְרָאָה אֶת הַמְּצִיָּאָה,
וְאָמַר לְחֵבְרוֹ תְּנֶנָּה לִי, נִטְלָה וְאָמַר אֲנִי זְכִיתִי
בָּהּ, זָכָה בָּהּ. אִם מִשְׁנֶתְנָה לוֹ אָמַר אֲנִי זְכִיתִי
בָּהּ תִּחְלָה, לֹא אָמַר כָּלוּם:

Mishnah Bava Metzia, 1:4

If one **saw a found item and fell upon it**, intending to thereby acquire it, but did not employ one of the formal modes of acquisition, **and then another came and seized it, the one who seized it acquired it** because he employed one of the formal modes of acquisition. If one **saw people running after a found ownerless animal**, e.g., **after a deer** crippled by a **broken leg**, or **after young pigeons that have not yet learned to fly**, which can be caught easily, **and he said: My field has effected acquisition of this animal for me, it has effected acquisition of it for him**. If the **deer were running in its usual manner**, or the **young pigeons were flying**, **and he said: My field has effected acquisition of this animal for me, he has said nothing**, as one's courtyard cannot effect acquisition of an item that does not remain there on its own.

משנה בבא מציעא, א:ד

רָאָה אֶת הַמְצִיָּא וְנָפַל עָלֶיהָ, וּבָא אַחֵר וְהִחְזִיק בָּהּ, זֶה שֶׁהִחְזִיק בָּהּ זָכָה בָּהּ. רָאָה אוֹתוֹן רְצִין אַחֵר מְצִיָּא, אַחֵר צָבִי שְׁבוּר, אַחֵר גּוֹזְלוֹת שְׁלֵא פָּרְחוּ, וְאָמַר זָכָתָה לִי שְׂדֵי, זָכָתָה לוֹ. הִיָּה צָבִי רֶץ כְּדַרְכּוֹ, אוֹ שֶׁהָיוּ גּוֹזְלוֹת מְפָרִיחִין, וְאָמַר זָכָתָה לִי שְׂדֵי, לֹא אָמַר כָּלוּם:

Mishnah Bava Metzia, 1:5

With regard to **the found item of one's minor son or daughter**, i.e., an ownerless item that they found; **the found item of his Canaanite slave or maidservant**; and **the found item of his wife, they are his**. By contrast, with regard to **the found item of one's adult son or daughter**; **the found item of his Hebrew slave or maidservant**; and **the found item of his ex-wife, whom he divorced, even if he has not yet given her payment of the marriage contract that he owes her, they are theirs**.

משנה בבא מציעא, א:ה

מְצִיאת בְּנוֹ וּבִתּוֹ הַקָּטָנִים, מְצִיאת עֶבְדוֹ וְשִׁפְחָתוֹ הַכְּנַעֲנִים, מְצִיאת אִשְׁתּוֹ, הָרִי אֵלּוֹ שְׁלוֹ. מְצִיאת בְּנוֹ וּבִתּוֹ הַגְּדוּלִים, מְצִיאת עֶבְדוֹ וְשִׁפְחָתוֹ הָעִבְרִים, מְצִיאת אִשְׁתּוֹ שֶׁגָּרְשָׁהּ, אִף עַל פִּי שְׁלֹא נָתַן כְּתוּבָתָהּ, הָרִי אֵלּוֹ שְׁלֵהֶן:

Mishnah Bava Metzia, 1:6

With regard to one who **found promissory notes**, if they **include a property guarantee** for the loan **he may not return** them to the creditor, **as**, if he were to return them, **the court** would then **use them to collect repayment** of the debts from land that belonged to the debtor at the time of the loan, even if that land was subsequently sold to others. If **they do not include a property guarantee**, he returns them to the creditor, **as** in this case **the court** will **not use them to collect repayment** of the debt from purchasers of the debtor's land. This is **the statement of Rabbi Meir**. **And the Rabbis say:** In **both this case and that case** he should not return the promissory notes to the creditor, **as**, if he were to return them, **the court** would in any event **use them to collect repayment** of the loan from purchasers of the debtor's land.

משנה בבא מציעא, א:ו

מָצָא שְׂטָרֵי חוֹב, אִם יֵשׁ בָּהֶן אַחֲרֵיּוֹת נְכָסִים, לֹא יִחְזֵר, שְׁבִית דִּין נִפְרָעִין מֵהוּ, אִין בָּהֶן אַחֲרֵיּוֹת נְכָסִים, יִחְזֵר, שְׁאִין בֵּית דִּין נִפְרָעִין מֵהוּ, דְּבָרֵי רַבִּי מֵאִיר. וְחֻכְמִים אוֹמְרִים, בֵּין כֶּה וּבֵין כֶּה לֹא יִחְזֵר, מִפְּנֵי שְׁבִית דִּין נִפְרָעִין מֵהוּ:

Mishnah Bava Metzia, 1:7

If one found bills of divorce, or bills of manumission of slaves, or wills, or deeds of a gift, or receipts, he may not return these items to the one who is presumed to have lost them, as I say it is possible that **they were written and** then the writer **reconsidered about them** and decided **not to deliver them**.

משנה בבא מציעא, א:ז

מָצָא גֵטִי נָשִׁים, וְשִׁחְרוּרֵי עֲבָדִים, דִּיתִיקִי,
מִתְנָה וְשׁוֹבְרִים, הָרִי זֶה לֹא יִחְזִיר, שְׁאֲנִי אוֹמֵר
כְּתוּבִים הָיוּ וְנִמְלָךְ עֲלֵיהֶם שְׁלֹא לְתַנֵּם:

Mishnah Bava Metzia, 1:8

If one **found documents of appraisal** of a debtor's property for the purpose of debt collection; **or documents concerning food**, which were drawn up when one accepted upon himself to provide sustenance for another; **documents of *halitza***; **or documents of refusal** of a girl upon reaching majority to remain married to the man to whom her mother or brothers married her as a minor after the death of her father; **or documents of *beirurin***, a concept that will be explained in the Gemara; **or any court enactment**, e.g., a promissory note that has been authenticated by the court, in all of these cases, the finder **must return** the document to its presumed owner. If one **found documents in a *hafisa* or in a *deluskema***, both of them types of containers, or if he found **a roll of documents or a bundle of documents**, he **must return** them. **And how many documents** are considered to be **a bundle of documents**? It is **three** that are **tied together**. **Rabban Shimon ben Gamliel says**: If the documents make reference to loans of **one person who borrowed money from three people**, the finder **must return** them **to the debtor**, as they were presumably in his possession before being lost. If the documents make reference to loans of **three people who borrowed money from one person**, he **must return** them **to the creditor**, as they were presumably in his possession before being lost. If one **found a document among his documents** that were given to him by other people as a trustee, **and he does not know what its nature is**, i.e., he does not remember who gave it to him or whether the debt mentioned in it has been paid, the document **is placed** aside **until Elijah** the prophet **comes** and clarifies the issue through his prophecy. **If there are cancellations of contracts [*simponot*] among them**, he **should do what** is stated in the *simponot*.

משנה בבא מציעא, א:ח

מָצָא אֲגָרוֹת שׁוּם וְאֲגָרוֹת מְזוֹן, שְׁטָרֵי הֶלִיצָה
וּמְאוּנִין, וְשְׁטָרֵי בְרוּרִין, וְכָל מַעֲשֵׂה בֵּית דִּין,
הָרִי זֶה יִחְזִיר. מָצָא בַחֲפִיסָה אוֹ בַדְּלִסְקָמָא,
תִּכְרִיךְ שֶׁל שְׁטָרוֹת, אוֹ אֲגָדָה שֶׁל שְׁטָרוֹת, הָרִי
זֶה יִחְזִיר. וְכַמָּה אֲגָדָה שֶׁל שְׁטָרוֹת, שְׁלֹשָׁה
קְשׁוּרִין זֶה בְּזֶה. רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר,
אֶחָד הַלֹּה מְשֻׁלָּשָׁה, יִחְזִיר לַלֹּה, שְׁלֹשָׁה הַלֹּין
מְאֶחָד, יִחְזִיר לַמְּלוֹה. מָצָא שְׁטָר בֵּין שְׁטָרוֹתָיו
וְאִינוֹ יוֹדֵעַ מֵה טִיבוֹ, יֵהָא מִנַּח עַד שְׁיָבֵא
אֵלָיו. אִם יֵשׁ עִמָּהֶן סִמְפוֹנוֹת, יַעֲשֶׂה מֵה
שְׁבִסְמְפוֹנוֹת:

Mishnah Bava Metzia, 1:1

If **two** people came to court **holding a garment**, and **this** one, the first litigant, **says: I found it**, and **that** one, the second litigant, **says: I found it**;

this one **says: All of it is mine**, and **that** one **says: All of it is mine**; how does the court adjudicate this case?

This one **takes an oath that he does not have** ownership of **less than half of it**, and **that** one **takes an oath that he does not have** ownership of **less than half of it**, and **they divide** it.

If **this** one **says: All of it is mine**, and **that** one **says: Half of it is mine**, since they both agree that half of the cloak belongs to one of them, the conflict between them is only about the other half.

Therefore, **the one who says: All of it is mine**, takes an oath **that he does not have** ownership of **less than three parts**, i.e., three-fourths, **of it**, and **the one who says: Half of it is mine**, takes an oath that he does not have ownership of **less than one-quarter of it**.

This one **takes three parts**, and **that** one **takes one-quarter**.

משנה בבא מציעא, א:א

שְׁנַיִם אוֹחֲזִין בְּטֵלִית,
זֶה אוֹמֵר אֲנִי מְצֵאתִיהָ וְזֶה אוֹמֵר אֲנִי מְצֵאתִיהָ,
זֶה אוֹמֵר כֹּלָּה שְׁלִי וְזֶה אוֹמֵר כֹּלָּה שְׁלִי,
זֶה יִשָּׁבַע שְׂאִין לוֹ בָּהּ פְּחוֹת מִחֲצִיָּה, וְזֶה יִשָּׁבַע
שְׂאִין לוֹ בָּהּ פְּחוֹת מִחֲצִיָּה,
וַיִּחְלְקוּ.

זֶה אוֹמֵר כֹּלָּה שְׁלִי וְזֶה אוֹמֵר חֲצִיָּה שְׁלִי,
הָאוֹמֵר כֹּלָּה שְׁלִי, יִשָּׁבַע שְׂאִין לוֹ בָּהּ פְּחוֹת
מִשְׁלֹשָׁה חֲלָקִים, וְהָאוֹמֵר חֲצִיָּה שְׁלִי, יִשָּׁבַע
שְׂאִין לוֹ בָּהּ פְּחוֹת מִרְבִּיעַ.
זֶה נוֹטֵל שְׁלֹשָׁה חֲלָקִים, וְזֶה נוֹטֵל רְבִיעַ:

משנה בבא מציעא, א:א

שְׁנַיִם אוֹחֲזִין בְּטִלִית,
זֶה אוֹמֵר אֲנִי מְצֵאתִיהּ וְזֶה אוֹמֵר אֲנִי מְצֵאתִיהּ,
זֶה אוֹמֵר כֹּלָּה שְׁלִי וְזֶה אוֹמֵר כֹּלָּה שְׁלִי,
זֶה יִשְׁבַּע שְׂאִין לוֹ בְּהַ פְּחוֹת מְחֻצֵּיהּ, וְזֶה יִשְׁבַּע
שְׂאִין לוֹ בְּהַ פְּחוֹת מְחֻצֵּיהּ,
וַיִּחְלְקוּ.

תוספתא בבא מציעא א:א

שנים אוֹחֲזִין בְּטִלִית
זה נוטל עד מקום שתפוס וזה נוטל עד מקום שתפוס

במה דברים אמורים?
בזמן שהיו שניהם תופסין בה
אבל אם היתה בידו של אחד מהן המוציא מחבירו עליו הראיה

זה אומר כולה שלי וזה אומר שלישי שלי
האומר כולה שלי ישבע שאין לו בה פחות מה' חלקים והאומר
שלישי שלי ישבע שאין לו בה פחות משתות
כללו של דבר: אין נשבע אלא על חצי טוענו בלבד.

זֶה אוֹמֵר כֹּלָּה שְׁלִי וְזֶה אוֹמֵר חֻצֵּיהּ שְׁלִי,
הָאוֹמֵר כֹּלָּה שְׁלִי, יִשְׁבַּע שְׂאִין לוֹ בְּהַ פְּחוֹת
מְשֻׁלְשָׁה חֲלָקִים, וְהָאוֹמֵר חֻצֵּיהּ שְׁלִי, יִשְׁבַּע
שְׂאִין לוֹ בְּהַ פְּחוֹת מְרַבֵּיעַ.
זֶה נוֹטֵל שְׁלֻשָׁה חֲלָקִים, וְזֶה נוֹטֵל רַבִּיעַ:

Mishnah Bava Metzia, 3:3-4

If **one said to two** people: **I robbed one of you of one hundred dinars, but I do not know** from **which of you** I took the money, or if one said to two people: **The father of one of you deposited one hundred dinars with me, but I do not know** the father of **which of you he is**, then he **gives one hundred dinars to this person and one hundred dinars to that** person. This is **because** there is no way to determine which of them is entitled to the money, and **he admitted** his obligation **at his own** initiative.

In the case of **two** people **who deposited** money **with one** person, and **this** one deposited **one hundred dinars** and **that** one deposited **two hundred** dinars, and when they come to collect their deposit, **this** one **says: My** deposit was **two hundred** dinars, and **that** one **says: My** deposit was **two hundred** dinars, the bailee **gives one hundred dinars to this one and one hundred dinars to that** one. **And the rest** of the money, i.e., the contested one hundred dinars, **will be placed** in a safe place **until Elijah comes** and prophetically determines the truth. **Rabbi Yosei said: If so, what did the swindler lose?** He lost nothing by claiming the one hundred dinars that belongs to another, and he has no incentive to admit the truth. **Rather, the entire** deposit **will be placed** in a safe place **until Elijah comes**. **As** his fraud will cause him to lose even the one hundred dinars that he deposited, perhaps he will be discouraged from making a fraudulent claim.

משנה בבא מציעא, ג:ג

אמר לשנים, גזלתי לאחד מכם מנה, ואיני יודע איזה מכם, או, אביו של אחד מכם הפקיד לי מנה, ואיני יודע איזה הוא, נותן לזה מנה ולזה מנה, שהודה מפי עצמו:

שנים שהפקידו אצל אחד, זה מנה וזה מאתיים, זה אומר שלי מאתיים וזה אומר שלי מאתיים, נותן לזה מנה ולזה מנה, והשאר יהא מנח עד שיבא אליהו. אמר רבי יוסי, אם כן מה הפסיד הרמאי. אלא הכל יהא מנח עד שיבא אליהו: