

Review of Makos Lesson 10 - Daf 3A-B:

4) WHICH LOANS ARE CANCELLED IN SHEMITAH?

(a)(Mishnah): If witnesses testified that Reuven must pay to Shimon 1000 Zuz in 30 days, and Reuven says that he has 10 years to pay, and they were Huzam (proven to be false), we estimate the difference of what one would pay for rights to have 1000 Zuz for 30 days, or for 10 years. (They tried to make Reuven lose this.)

(b)Version #1 (Rav Yehudah): Shemitah (the seventh year) is Meshamet (cancels) a loan of 10 years;

Daf 3B:

1. Even though "Lo Yigos (do not request payment)" does not apply in Shemitah (since the loan is not due yet), since it will apply later, Shemitah is Meshamet.

(c)Question (Rav Kahana - from the Mishnah): We estimate the difference of what someone would pay for his rights to have 1000 Zuz for 30 days, or for 10 years.

1. If the loan is cancelled during the shemita year, Reuven need not repay after 10 years! So then the Mishna should have said that the false witnesses should pay the entire 1,000 Zuz ?

(d)Answer (Rava): The case of the Mishnah is, Shimon took a security when he lent him, or he handed over his documents to Beis Din (authorized Beis Din to collect for him, e.g. Pruzbul); and the law is...

1.(Mishnah): If one takes a security when he lends, or he hands over his documents to Beis Din, the loan is not cancelled in Shemitah.

(e)Version #2 (Rav Yehudah): Shemitah is not Meshamet a loan of 10 years; 1. Even though "Lo Yigos" will apply later, since it does not apply in Shemitah, Shemitah is not Meshamet.

(f)Support (Rav Kahana - Mishnah): We estimate the difference of what someone would pay for his rights to have 1000 Zuz for 30 days, or for 10 years.

1. If the loan is Meshamet, Reuven needs to repay after 10 years! That is why the false witnesses do not have to pay the full amount.

(g)Rejection (Rava): The case in the MISHNAH is, Shimon took a security when he lent him, or handed over his documents to Beis Din.