

כוליה אגרא בעי למיתב - He is required to give him the entire rent

OVERVIEW

The גמרא cites a ברייתא; if one rents a boat, and halfway through the trip the שוכר (as the גמרא assumes now) unloaded his merchandise from the boat; he did not want to travel the rest of the trip; the rule is the שוכר is only required to pay for half the trip. The גמרא asks, if the ship owner cannot rent it to someone else for the rest of the trip, the שוכר should be required to pay him for the entire trip.

לאו דוקא כוליה אלא כלומר כפועל בטל:¹

The word כוליה (meaning the entire rental fee) is **not precise** (there never was a question that the שוכר should pay the entire original fee), **but rather** the word כוליה **meant that** the שוכר should pay the owner the fee of a פועל בטל for the second half of the trip.²

SUMMARY

The word כוליה here means כפועל בטל.

THINKING IT OVER

Is it possible to differentiate between the case of a פועל בטל, and the case of the boat, that by the boat the שוכר is required to pay him in full?³

¹ פועל בטל is the amount a worker (who earns a set fee per hour/day) is willing to accept to be paid and not work at all. If for instance he is paid ten dollars an hour, he would be willing to accept eight dollars an hour and not work at all.

²² The גמרא previously (on ע"ב,ב) stated if someone hires workers and they could not do any work (because there was no work to be done), the employer must pay them, but only כפועל בטל, since they are not working and are generally agreeable to accept a lower wage. Here too, the ship owner is not doing anything (he is not traveling the second half), therefore he is paid only כפועל בטל.

³ See קצות החושן סי' שי"א סעיף ו' (ס"ק ב).