

When you will run away from him

כשתברח ממנו –

OVERVIEW

The **ברייתא** states that if a **ישראל** sells his **עבד כנעני** to a **עו"כ**, the **עבד** is considered to be freed¹ and the owner must write a **גט שחרור** (to finalize his **שחרור**). **רשב"ג** states that if initially (before the sale) the owner wrote **אונו**; stating that if you escape, I will have no dealings (or interest) with you, then that is considered as a valid **גט שחרור**.²

- כשתברח ממנו explains that תוספות

כלומר מן העובד כוכבים –

Means when you escape **from the עו"כ**, the **שחרור** will become effective at that time -

אבל אינו רוצה לומר כשתברח ממני³ מעכשיו אין לי עסק בך –

However, his intent is not to say that when you will escape from (me) [him], then as of now I have no dealings with you, for -

אם כן יהיה מיד בן חורין ויתחייב במצות ולא יוכל לקיימו בבית העובד כוכבים⁴ –

If that is indeed his intent then he immediately becomes a free man and is obligated to observe the מצות and he cannot be kept in the house of the עו"כ -

נמצא שרע ל⁵ מה שכותב עליו אונו:

Which will turn out that it is detrimental to the owner that he is writing a שטר שחרור for the עבד.

SUMMARY

The **עו"כ** becomes effective after the **עבד** escapes from the **עו"כ**.

THINKING IT OVER

What is the intent of the word **כלומר** in the beginning of this תוספות?

¹ If the **עבד** escapes; otherwise the original owner is required to redeem him from the **עו"כ** (for even up to ten times the amount of his sales price) and write the **שטר שחרור**.

² It would seem the intent of the owner is to sell the slave and retain the proceeds of the sale, hoping that the **עבד** will escape from the **עו"כ**. However, he may also desire that the **עבד** should attain the status of a full **בן חורין** (after his escape), therefore he writes this **אונו**. See footnote # 4.

³ This is amended to read 'ממנו'. תוספות rejects the thought the owner means that when you escape from him (the **עו"כ**), the **שחרור** is effective retroactively from now. (If we are 'ממני' גורס, then לכשתברח ממני would mean when the sale to the **עו"כ** becomes effective [thereby the **עבד** is considered to have escaped from his original owner].)

⁴ See תוספות in אהל ד"ה אהל which states: גיטין מג,ב ד"ה אהל in תוספות בו.

⁵ There can be no sale if he is a **בן חורין**. The **ישראל** will be required to return the money to the **עו"כ**.