

4 Kislev 5774
Nov. 7, 2013



Shekalim Daf 20

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

The *Gemora* relates: Rav went down to Bavel. He saw that they were acting leniently, so he riled stringently for them. There was a person who went to wash his meat in the river. Some of the meat was forgotten behind. He wanted to go back and retrieve it, but Rav told him: It is forbidden for you, for perhaps the river washed away the piece you had left there and brought another piece from a neveilah in its place.

The *Gemora* cites another incident: There was a person who was walking in the street and carrying meat. A vulture came and grabbed it from him and placed it down somewhere else. He wanted to go back and retrieve it, but Rav told him: It is forbidden for you, for perhaps the vulture was carrying a different piece from a neveilah and placed it down, and took the other piece with it.

The *Gemora* cites another incident: The Ginai river washed away some wineskins. The incident (after they were found on the riverbank) came before Rabbi Yitzchak the son of Rabbi Elozar. He ruled that those who pour the wine should inspect the knots (and if they recognize them to be theirs, the wine would be permitted).

The *Gemora* cites another incident: A container of wine was found by the synagogue of Buli. The incident came before Rabbi Yirmiyah. He ruled that

those who mark their containers with red dye should inspect them (and if they recognize the dye to be theirs, the wine would be permitted).

A roasted kid was found in the streets of Gufta, and the Sages permitted it on two accounts: the finder is permitted to keep it with respect to a “found object” (and it need not be returned to its rightful owner, for he has already given up hope on it), and on account of “most travelers” (*as it might not be kosher; but since most travelers were Jewish, it was permitted*).

The *Gemora* explains: It was permitted on account of a “found object,” for it was taught in a *braisa*: If one rescues anything from a lion, or from an army, or from the tide of the sea, or from the flood of a river, or if one finds anything on the highway, or in a big public square, it belongs to the finder because the owner has given it up from recovering them. It was permitted on account of “most travelers,” and it was not slaughtered by a non-Jew (for most of the travelers were indeed Jewish).

The *Gemora* concludes that it emerged that it came from the house of Rebbe.

The *Gemora* cites a similar incident: A round cheese was found in Rebbe’s lodgings, and the Sages permitted it on two accounts: the finder is permitted to keep it with respect to a “found object,” and on account of “most travelers.”

The *Gemora* explains: It was permitted on account of a “found object,” for it was taught in a *braisa*: If one rescues anything from an army, or from a lion, or from the tide of the sea, or from the flood of a river, or if one finds anything on the highway, or in a big public square, it belongs to the finder because the owner has given it up from recovering them. It was permitted on account of “most travelers,” and it was not regarded as cheese made by a non-Jew (for most of the travelers were indeed Jewish).

The *Gemora* concludes that it emerged that it came from the house of Rabbi Elozar the son of Rabbi Yosi.

Rabbi Mana asked before Rabbi Yosi: But we saw that the Rabbi announce these articles when they find them (so how can we rule that the finder is permitted to keep them)?

He replied: Do you mean to say that if you would find such articles, you would not keep it for yourself!? But your father, Rabbi Yonah, did not say like that, for he said, “O, if we would find something, we would find it from the intersection and inward” (for these are regarded as public places and it is permitted to keep that which one finds).

The *Gemora* concludes: Nevertheless, he once found such an item, and he did not keep it for himself. (20a1 – 20a2)

The Mishna continues talking about that status of consecrated animals that have been lost: If an animal was found between Yerushalayim and Migdal Eder, or within this same distance in any direction from Yerushalayim, if it is a male animal, it is presumed to be an *olah* and if it is a female, it is presumed to be a

shelamim. Rabbi Yehuda says that thirty days prior to Pesach, any animal which can qualify for a Korban Pesach is considered to be one, since they are so common at that time of the year.

Beis Din used to take collateral from the finder (impose the burden of paying) for the *nesochim* (wine libations) on the person who found the lost animal, but once they saw that people just abandoned the animals instead of returning them, this practice was abolished, and the *nesochim* would be paid from public funds.

Rabbi Shimon lists seven enactments of the Sages.

1. One of them is that which was just mentioned.
2. A second is that if a non-Jew sent his *olah* offering from abroad, if he sent along the libations, those are used, but if he did not, the community provides them.
3. The same applies to a convert who died before his sacrifices were brought. If his estate has the ingredients that were already designated for the *nesochim*, it was brought from them; otherwise, it comes from the public.
4. [Our Mishna is discussing a case involving a Kohen Gadol whodied, before a replacement has been named. Even without an acting Kohen Gadol, the daily tenth of an *eifah* offering must be offered, albeit with certain modifications. The issue is who funds the offering in such a situation.] A Kohen Gadol that died, the public must pay for his *assiris ha'eifah minchah*. However, Rabbi Yehuda differs and says that his heirs should pay for it.

5. They instituted that the Kohanim can benefit from the salt and wood that are used for the offerings.
6. A sixth enactment was that the ashes of a *parah adumah* (red heifer) aren't subject to *me'ilah* (*one who has unintentionally benefited from hekdesh or removed it from the ownership of the Beis Hamikdosh has committed the transgression of me'ilah, and as a penalty, he would be required to pay the value of the object plus an additional fifth of the value; he also brings a korban asham*).
7. A person who is obligated in bird-pairs gives the Temple treasurers the money, and they process the korban for him. However, if after he gave the money, the birds became disqualified, the public funds are used to replace that bird.

[The Gemora wonders: Why are the males only presumed to be olos and not shelamim? How can they be brought as olos when they may in fact be a shelamim?] Rabbi Oshaya explains: We are discussing someone who voluntarily wants to obligate himself for the value of the *korbanos* (by redeeming them). The *Mishna* means that such a person must also suspect that the male is an *olah* (besides the fact that he must suspect it is a *shelamim*). This is like the opinion of Rabbi Meir, who says that one can knowingly deconsecrate *hekdesh* (for otherwise, how could an unblemished animal be redeemed).

The Gemora asks: Can one indeed transfer the integral holiness of a *korban* onto something else?

The Gemora answers: Rather, we follow the majority: In cases of uncertainty, we can rely on the fact that

the majority of male animals are olah offerings, and that the majority of female offerings are shelamim.

The Gemora asks: But it is not a fact that shelamim offerings come from both male and female animals?

The Gemora answers: Rather, one should wait until this lost animal receives a blemish (*making it permissible to redeem the animal*), and he should then bring both an *olah* and *shelamim* and stipulate. [He stipulates that if it was an *olah*, its holiness should be on the animal that will be brought for an *olah*, and if it was a *shelamim* its holiness should be on the animal that will be brought for a *shelamim*. The other animal will be offered as a donation.]

Rabbi Zeira explains: Just as it was said before that the Court stipulated regarding the leftover of money designated for a *chatas* that it should be used to purchase olah offerings, so too they stipulated regarding lost male animals that they should be offered as olah offerings.

The Gemora concludes: since it is a stipulation of the Court, it is not regarded as deliberately changing from one consecration to another. (20a3 – 20b1)

The Gemora discusses the following question: What do we do with the *shekalim* of a person who died (he designated the *shekalim*, but didn't donate them yet)? Shmuel rules that the funds should go for general olah donations.

In a similar case, what do we do with the surplus of the *asiris ha'eifah* (after the Kohen Gadol died)? Rabbi Yochanan says that they are unusable, and therefore should be cast into the Dead Sea (where the salt water will disintegrate the coins.) Rabbi Eliezer says here too that the funds should go for general donations.

Rabbi Yochanan said: The tenth of an eifah of the *Kohen Gadol* is divided first and then sanctified (and the first half is brought in the morning and the second half is brought in the afternoon). Rabbi Shimon ben Lakish disagreed and said: It is consecrated and then divided.

The *Gemora* challenges Rabbi Yochanan from a *Mishna*: [The *chavitin* (flour offering brought every day) of the *Kohen Gadol* would not be brought one half at a time. Rather, the entire *isaron* (a measure of flour) would be brought in the morning, and it would then be divided, with half of it brought in the morning and half in the afternoon. If the *Kohen Gadol* brought half of the *isaron* in the morning and then died, the newly appointed *Kohen Gadol* does not bring half of an *isaron* from his house, nor does he bring the half left by the first *Kohen Gadol*. Rather, he brings an entire *isaron* from his house and splits it] with half of it being offered and the other half is destroyed. [Now, if only half of it was consecrated, why must the second half be destroyed?]

The *Gemora* answers: Even money designated for the offering should go to the Dead Sea.

The *Gemora* challenges Rabbi Shimon ben Lakish from the end of that *Mishna*, which states: The end result is that two halves are offered and two halves are destroyed. And a *braisa* was taught regarding this: The halves should undergo a change of appearance and then go to the Place of Burning. [But according to Rish lakish, why is it necessary to further disqualify them before burning them; they are inherently disqualified from before?]

The *Gemora* answers that it is Rabbi Yishmael who maintains that the *issaron* utensilk used to measure the flour invests it with sanctity (and the *braisa* which requires a change of appearance disagrees with that).

The *Gemora* cites a *braisa*: When a *Kohen* performs the service for the first time, he brings the tenth of an eifah offering and performs the service with his own hand. Both a *Kohen Gadol* and an ordinary *Kohen*, who perform a service in the Temple prior to bringing their tenth of an eifah offering, their service is nevertheless valid.

Rabbi Mana wanted to say: A *Kohen* who never served in the Temple and was appointed directly as the *Kohen Gadol*. This *Kohen* must bring two *minchos chinuch*: one as a *minchas chinuch* for a simple *Kohen* (*Kohen hedyot*) and the other as a *minchas chinuch* which a *Kohen Gadol* offers when he is appointed to his position.

The *Gemora* derives from the juxtaposition of the word “baked” to the word “bring” that the *minchah* should not be baked early on (predawn) in the morning.

Rabbi Chiya bar Acha explains a *Mishna* in *Tamid* which apparently contradicts this ruling to mean that they appointed people to prepare the hot water for the scalded loaf (in the predawn morning, but it was not baked at that time).

It was taught: How are the *chavitei Kohen Gadol* made? Rabbi Yassa says in the name of Rabbi Chanina: They are fried and then baked. Rabbi Acha says in the name of Rabbi Yochanan: They are baked and then fried.

[The *Gemora* in Menachos explains their dispute: The first opinion states: My opinion is more logical. The verse states, *tufinei* which indicates that it should be *tei'afenah na'eh* (they should be baked while still "attractive"). [Rashi explains this means they should be light colored before baking, which would not be true if they were fried first as they would be at least partially blackened.] The second opinion states: My opinion is more logical. The verse states, *tufinei* which indicates that it should be *tei'afenah na* (they should be baked when they are partially cooked, indicating they had previously been fried somewhat before being baked).]

The *Gemora* notes: This argument is in fact an argument among the *Tannaim* in the following *braisa*: The verse states, *tufinei* which indicates that it should be *tei'afenah na*. Rebbe states: It indicates that it should be *tei'afenah na'eh*. Rabbi Yosi (some say *Dosa*) states: *Tei'afenah rabbah* (it should be baked, fried, and then baked again), as he holds that both *na* and *na'eh* are implied.

The *Gemora* notes that these halachos not only apply in a case where the Kohen Gadol dies, but they also apply in a case where the Kohen Gadol became *tamei* (that his replacement would bring a full *issaron* and offer half of it). Others add that it is even applicable to a case where he was rejected (on account of developing a permanent blemish).

The *Gemora* cites a *braisa* which is connected to our *Mishna*: If the Kohen Gadol died and they had not appointed another in his place, from where do we know that his *minchah* offering must be offered at the expense of his heirs? It is because it is written: *And if the anointed Kohen dies, in his stead, from*

among his sons shall offer it. I might think that they offer it in halves, the Torah therefore states 'it,' implying that the whole *issaron* (is offered) but not half; these are the words of Rabbi Yehudah. Rabbi Shimon says: *It is a statute forever.* This implies that it is offered at the expense of the public. *It shall be completely burned.* This means that the whole of it shall be burned (like all *minchah* offerings of a Kohen; there is no *kemitzah* and no remainder).

The *Gemora* notes a contradiction regarding Rabbi Shimon's opinion if it is brought from his heirs or from the public funds.

The *Gemora* answers: There were two ordinances. By Biblical law, it should be offered at the expense of the public; but when they saw that the funds of the Temple Treasury were being depleted, they ordained that it should come from the heirs. When, however, they saw that the heirs were negligent regarding it, they reverted to the Biblical law. (20b1 – 21a1)

INSIGHTS TO THE DAF

There's an apparent contradiction in the Rambam about the funding of *nesochim* for a non-Jew whose *korban* comes from abroad.

In *Hilchos Maaseh Hakorbonos* the Rambam implies that the non-Jew does not include the funds for the *nesochim*, just for the *korban* itself, but rather the public pays for it. But in *Hilchos Shekolim* it seems to be that the Rambam holds that a non-Jew could pay for the *nesochim*.

The Lechem Mishne explains that the Rambam had a slightly different version in the *Gemora*, and held that a non-Jew is not **obligated** in bringing the funds for



the *nesochim*, only a Jew is. If a non-Jew wanted to, he could send *nesochim* along, but it not a necessity, and in that case the public would bring it for him.

Food for Thought

We learned in a *Mishna*: If an animal was found between Yerushalayim and Migdal Eder, or within this same distance in any direction from Yerushalayim, if it is a male animal, it is presumed to be an *olah* and if it is a female, it is presumed to be a *shelamim*.

*** How can the animal be offered as a *korban* with out the owner's knowledge? [Rashba]

*** Shouldn't there be a double uncertainty (*sefeik sefeika*) that the animal is not a *korban*? Perhaps the animal is not from Yerushalayim, and even if it was, perhaps it was *chullin*? [*Minchas Yehudah*]

*** Rashi writes that most animals found in Yerushalayim were *korbanos*. Why would this be? It was common practice for people to consecrate their animals in the Beis HaMikdash in order to avoid working with an animal of *hekdesh*. And for an animal to *get* lost after it was brought into the Beis HaMikdash was extremely uncommon!? [Dvar Shalom]

DAILY MASHAL

The Purpose of the Minchas Chavitin

Chazal said (Bava Basra 162b) that there are sins "from which a person is not saved every day", such as lashon hara etc. HaGaon Rav Y. Engel imagines that this is the purpose of the *Kohen Gadol's chavitin*, so that he may be atoned, "that due to his high level, his slight transgressions are considered severe". We thus understand why the Gemara (further on, 51a) tends to liken the *minchas chavitin* to a sinner's *minchah*. A *minchas chavitin* serves to atone and they thought well to compare it to a sinner's *minchah* (Gilyonei HaShas, Bava Basra 164b).