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The Mishna discusses what to do with coins that fell between two collection boxes. The general rule is that if the coins fell closer to one box, we assume that they came from that box, even though the nearer box is of a lower sanctity. However, if the coins fell exactly between the two boxes, we assume they came from the box of the higher sanctity.

Here is the hierarchy:

1. Between *shekalim* and general donations – general donations have a higher precedence (it is regarded as more stringent, for the money goes for olah offerings, whereas the remaining *shekalim* are used for building the walls of a city).
2. Between wood and incense – incense (for the levonah is actually a korban).
3. *kinnin* and olah birds – olah birds.
4. *chulin* (non-consecrated items) and *maaser sheni* – *maaser sheni*.

The *Mishna* concludes with a general rule: We follow “proximity” even if it will result in a leniency. We rule stringently when they are equidistant.

The *Gemora* states that since in the previous chapter the *Mishna* said that the *shekalim* collection box was near the *kinnin* box, therefore it would appear that

the *Mishna* should discuss what to do in the event that coins fell between these two boxes as well.

The answer is that the boxes were situated in a circle, and therefore the *shekalim* were also near the general donations.

The *Gemora* asks: In the case of the *Mishna* when the money was found exactly halfway between the box of *shekalim* and the box of olah offerings, it should go to the *shekalim* (for it is more stringent by the fact that it goes to purchase obligated offerings)?

The *Gemora* answers: if it would go to the *shekalim* box, it might end up as the “remaining of the Chamber” (and then it will be used for fixing the walls of Yerushalayim, which is not an offering at all).

Others say that this is similar to the case where one died after designating his shekel, as Rabbi Yassa said: While I was still in Bavel, I heard the voice of Rabbi Yehudah asking Shmuel: What is the halachah if a person designated his shekel and he died (how is the money treated)? And he answered that it goes to the box of the voluntary olah offerings (for even the remaining money of the chatas offerings is used to purchase olah offerings).

The *Gemora* rules similarly: Regarding the remainder of the Kohen Gadol's tenth of an eifah offering, Rabbi Yochanan said that it should be thrown into the Dead Sea, whereas Rabbi Lazar said that it should go to the box which is designated for the community olah offerings.

The *Mishna* had stated that when the money was found exactly halfway between the box of bird-pairs and the box of young olah birds, it should go to the young olah birds.

The *Gemora* asks: But can a chatas be offered as an olah?

Chizkiyah answered in the name of Rabbi Shimon ben Lakish: It is a stipulation of the court (beforehand) that the leftover money of a chatas offering shall be used for an olah.

The *Gemora* asks: But how would this woman (who gave the money for a chatas bird) achieve atonement (when her money was used for an olah bird)?

Rabbi Yitzchak answered: It is a stipulation of the court (beforehand) that the one who supplies the nests (the birds for the chatas and olah offerings) provides replacements for the disqualified offerings.

The *Gemora* asks: why are no other cases mentioned in the *Mishna*?

The *Gemora* answers: They are included in the *Mishna's* final general ruling. (19a2 – 19a4)

Another *Mishna* discusses what to do with items that are found at various locations, at different times throughout the year:

Coins that are found in front of the animal dealers in Jerusalem are assumed to be coins of Maaser Sheini (Maaser Sheini is a tithe separated from the harvest and the produce is then eaten in Jerusalem or redeemed with money that is brought to Jerusalem and used for buying food. This money that is used to redeem the Maaser Sheini produce attains the sanctity of Maaser Sheini and the money can only be used to buy food that is eaten in Jerusalem. Coins that are found on the Har Habayis, the Temple Mount, are viewed as non-sacred. Regarding coins found in other areas of Jerusalem depends on where the coins were found. If the coins were found during the pilgrimage festival, we assume that the coins are Maaser Sheini. If the coins were found during the rest of the year other than the festival season, we assume that the coins are non-sacred. [The reason that coins that are found in other areas of Jerusalem during the festival season are viewed as Maaser Sheini coins is because the marketplaces of Jerusalem are normally cleaned daily, and the cleaners would have found any coins lost before the festival. Coins found during the festival would probably have been lost on that day. Coins found on the Har Habayis, however, are considered non-sacred, because the Har Habayis was not cleaned daily. The reason the Har Habayis was not constantly swept is because the incline of the Har Habayis prevented dirt and mud from gathering, and furthermore, one was forbidden to enter the Har Habayis with shoes or dust on his feet.] In the rest of Yerushalayim, throughout the year the money is considered *chulin*, and during Yom Tov it's considered *maaser sheni*. (19a5 – 19b1)

Meat that's found in the *Azarah* (Temple Courtyard): If it's large limbs, it's considered to be *olos*, and if it's slices of meat, we assume that it's from a *chata*s. In Yerushalayim, both are considered *shelamim* (since most meat in Yerushalayim is *shelamim*.) In either case, the meat must undergo a change of appearance (it must be left overnight; an act which disqualifies it) and burned. If the meat was found in the provinces (elsewhere in Eretz Yisroel outside of Yerushalayim), full limbs are assumed to be *neveila*, and slices are permitted to be eaten, since only kosher (ready and prepared) meat is sliced in pieces to be either eaten or cooked. During the Yom Tov season, even full limbs are permissible, since meat is so abundant then.

The *Gemora* asks why money found on the Temple Mount is *chullin*; shouldn't it be regarded as holy?

Rabbi Ba answered in the name of Rabbi Chiyah in the name of Rabbi Yochanan that we have a presumption that the Kohen who removes the coins from the Chamber (in order to purchase animals for offerings) does not do so until he deconsecrates them on the animal.

Rabbi Lozar said in the name of Rabbi Hoshaya: If one diverts his attention (from watching sacrificial meat, and it therefore is regarded as being *tamei*), it requires a change of appearance (before being burned). [This is because he maintains that it must be burned because there is a possibility that it became *tamei* (and perhaps it didn't, and we wouldn't be allowed to burn it).]

Rabbi Hoshaya said that this may be proven from our *Mishna* (which rules regarding meat that was found)

that it first must undergo a change of appearance and only then may it be burned.

Rabbi Yosi said that this ruling is understandable, for the meat cannot be eaten since perhaps its appearance has changed (and it is therefore disqualified), and therefore, it undergoes a change of appearance and then it is taken to the Place of Burning. [It cannot be burned immediately, for we do not know if the meat remained overnight.]

The *Gemora* expounds on the *Mishna's* final statement (that meat found elsewhere in Eretz Yisroel is permitted when it is found sliced) by saying that if one eats the full limbs (which are forbidden), he is liable for lashes. However, if they were strung on a ring, they are permissible as well, since they were placed in that state intentionally.

In a similar case, the *Gemora* wants to know what the halacha is in an area where there are nine kosher butchers and one butcher selling non-kosher meat, and random meat was found nearby. If a person forgot where he purchased that meat, the meat is forbidden, since this equates to a fifty/fifty chance. But if the meat was found on the street between the stores, we assume it came from one of the nine majority kosher butchers.

The same logic holds true in the reverse case, where the majority of the butchers are non-kosher. If a person forgot where he purchased the meat, it is forbidden (like fifty/fifty), and also if he found it in the street, since we follow the majority.



Rabbi Yochanan applied the above practically, that if meat is found in the hands of a non-Jew, it too is subject to the majority rule.

This statement was once challenged by Rabbi Lazer who observed a non-Jew cutting off a piece of his horse and drop it in the street. How can we rely on majority, if anyone can drop non-kosher meat in the store?

Rabbi Yochanan's statement was qualified that only when we see the non-Jew coming out of a kosher butcher, can we assume that he possesses the kosher meat. (19b1 – 19b3)

INSIGHTS TO THE DAF

We said that money that's found in front of animal dealers is considered *maaser sheni*, since most people can't consume all their *maaser*, and give the leftovers to their relatives.

The Rabbeinu Ovadya m'Bartenura wants to know why we can't assume that the money came from the dealers themselves, whose money has already been transferred (redeemed) to *chulin*?

He answers that since that ratio between the dealers and the buyers is one-to-many, so we have to assume that the money came from the people instead of the dealers.

Nine and One

If nine stores sell non-kosher meat and one store sells kosher meat, and one buys from one of the stores but is afterwards in doubt about which store he bought from, there is concern and the meat's status is forbidden due to doubt; if the meat is found on the ground, however, near these stores, it is forbidden due to certainty.

This *braisa* teaches the well-known principles of “*rov*” and “*kavua*” — following the majority (*rov*) unless our doubt is the nature of the place from which one took the meat (*kavua*).

But does it really make a difference whether the item is forbidden due to “doubt” (*kavua*) or due to certainty (*rov*)? Isn't forbidden always forbidden?

Well, it depends. Take the scenario where there are nine groups of chametz and one of matzah, and a piece was taken from one of the groups and moved into a house. Does the house need to be checked on account of that piece? No, since according to Torah law nullification of chametz (*bitul*) is sufficient, and there remains only the rabbinical obligation to check. But since the piece had the status of *doubt* and not certainty – since this is a case of *kavua* – one may be lenient and not check for chametz (*Pri Chadash*).

DAILY MASHAL

Tzedakah Boxes



Money that is found between the “shekalim” area and the “nedavah” area. What should one do with that money?

Similar problems arise in regard to charity matters:

- A pushka that no one retrieves.
- Charity boxes in one’s home that have coins in them.

What should be done with those monies?

R’ Menashe Klein ruled: Set it aside until Eliyahu arrives.

Other Poskim rule: The money may be given to other worthy causes.

Ideally, when a charity box is accepted, a stipulation should be made as to when it will be picked up and if it is not retrieved, what should be done with the funds.

If it is closer to the shekalim, put it into the shekalim.

A coin is found between the box for shekalim and the box for charity. How do we decide which box to put the money into?

We should put the coin into the closest box. This is much like the Eglah Arufa, where, if a body is found between two cities, we approach the elders of the closest city to atone for the situation.

Another decision could be to put the coin into the box that has the most coins in it, suggesting that majority rules and we follow the majority. However, how do we know that when the coin was placed, the box that now has the most coins in it, had the most coins then?

In most cases, closeness supersedes majority, ‘korov’ versus ‘rov’. However, if the coin is equally close to both boxes, then the majority would rule.

Fire of Passion

The *Gemora* ruled that in certain cases, the sacrificial meat must be taken to the Place of Burning.

The fire of passion can be conveyed and can light a fire in another place and in another person.

A luke warm attitude, when shared, merely becomes even more cooled down.

A fire remains a fire and can spread and light up others.

What ever comes in contact with fire, itself becomes a fire.

A luke warm attitude has no power to make anything warmer and soon it is cooled down completely.