

4a.1.2

3a (משנה ב) → 3b (בוכרי)

וכל אשר לא יבוא לשלשת הימים פעצת השרים והזקנים יחרם כל רכושו והוא יבדל מקהל הגולה: עזרא י, ח	(1)
שמור את חדש האביב ועשית פסח לה' אלהיך כי בחדש האביב הוציאך ה' אלהיך ממצרים לילה: דברים טז, א	(2)
וכל מנחת כהן כליל תהיה לא תאכל: ויקרא ו, טז	(3)
זה יתנו קל העבר על הפקדים מחצית השקל בשקל הקדש עשרים גרה השקל מחצית השקל תרומה לה': שמות ל, יג	(4)

- I. אדר כלאים in they would find ב"ד if they would find
- a. *originally, they would throw the uprooted כלאים before the landowners*
- But: this didn't help and they continued to violate the law*
 - ברייתא*: they were happy on 2 accounts; their fields were weeded and they benefited from כלאים
 - Therefore: they modified the rule to throw the uprooted כלאים on the road*
 - ברייתא*: they were still happy, as their fields were weeded
 - Then: they mandated that the entire field become הפקר – and it is then ממעשרות*
 - Source (for rights of הפקר ב"ד הפקר): v. 1*
 - Sources (for exemption from מעשרות): from various rulings (incl. v. 2)*
 - Where: due to considerations, either שמיטה was extended or produce was declared מתניע*
 - The result being: that, based on this תקנת חכמים, it was exempt from מעשרות*
- II. משנה ג: locations of the money changers
- On 15th: they would set up throughout country*
 - On 25th: they would set up in מקדש*
 - At that point: they would seize pledges from everyone (גר, עבד משוחרר)*
 - Exceptions: women, slaves and minors*
 - Note: minors are not even asked to give; from 13-20 they aren't liable for משכון; after 20 ממשכנין -*
 - However: once a father begins to donate for his minor son, he may no longer ceases giving*
 - כהנים: we do not seize pledges from כהנים to keep the peace*
 - ברייתא שלום: דרך כבוד is understood here as דרכי שלום*
- III. משנה ד: dispute re: permission for כהנים to donate
- any כהן who donates is not wrong (per testimony of יהודה): בן בוכרי*
 - the opposite – if a כהן doesn't donate, he is sinning (per v. 4 – ז"ה = 12 [tribes, incl. לוי]) (to יהודה): ריב"ז*
 - However: the כהנים interpret v. 3 to their own benefit –*
 - Argument: עמר and שתי הלחם and לחם הפנים come from communal fund; if they donate, can't be eaten*
 - Analysis of dispute: חכמים's response to יהודה –*
 - Just like: חטאת יחיד could be killed (see מעילה ג:א) but חטאת צבור isn't killed*
 - Similarly: we distinguish between מנחת יחיד (של כהן) & מנחת צבור – (could be completely burned – if כהן)*
 - Challenge: how could they refute יהודה ר' with information he rejects? He holds חטאת צבור מתה*
 - Rather: his response – in that case, it is נדבת יחיד (since the כהן gave the money for that purpose)*
 - And: חכמים respond that once he's given the money to צבור, it becomes קרבן צבור*
 - Note: this dispute is later replicated by ר' יהודה and ר' נחמיה, interpreting כל העובר (v. 4)*
 - One: interprets it as כל העובר בים (סוף) – i.e. all of ישראל, including לויים*
 - Other: interprets it as כל העובר על הפקודים – and שבט לוי was not included in census (supporting בן בוכרי)*