

4a.1.3

3b (משנה ה) → 5a (סיום הפרק)

Note: משנה 1 introduces "קלבון" addendum to מחה"ש - added when 2 people donate שקל together. משנה 1's value discussed in t

(1) ויאמר להם זרובבל וישוע וישאר ראשי האבות לישראל לא לכם ולנו לבנות בית לאלהינו כי אנחנו יחד נבנה לה' אלהי ישראל כאשר צונו המקדש כורש מלך פרס: עמ"ד, ג.
 (2) דבר אל בני ישראל ואמרת אליהם אדם כי יקריב מקום קרבן לה' מן בהמה מן הבקר ומן הצאן תקריבו את קרבנכם: ויקרא א, ב.
 (3) ואשיב אותם דבר ואומר להם אלהי השמים הוא יצליח לנו ואנחנו עבדיו נקים ובנינו ולכם אין חלק וצדקה וזכרון בירושלם: נחמיה ב, כ.
 (4) זה יתנו כל העבר על הפקדים השקל השקל הקדש עשרים גרה השקל מחצית השקל תרומה לה': שמות ל, יג.

I. משנה ה: Accepting שקלים and other offerings from non-obligated persons

- a. Women etc.: even though we don't take a משכון, if they give, it is accepted
 - i. Implication: we do demand it of קטנים; but above, we inferred that we don't even demand it
 - ii. Answer: if he already reached 13 – we demand (but no משכון); if below 13 – we accept, w/o תביעה
- b. nonJews, זותים: we don't accept (v. 1)
 - i. Nor: do we accept any obligatory offering; only those which could be donated voluntarily (נדר ונדבה)
 - ii. Extended discussion: about status of כותים – dispute among תנאים, contemporary rejection of their membership (vv. 2-3)

II. משנה ו: Obligation of the קלבון (see note) – all who are liable (but not כהנים)

- a. If a ישראל joins a כהן, woman, slave or קטן in giving – no קלבון required
- b. But if: he joined with his friend to give – they owe a קלבון
 - i. קלבונות 2 ד"מ
 - 1. Rationale: ר"מ holds (based on דרשה on "זה" in v. 4) that קלבון is also מה"ת for each מחצית השקל
- c. If: someone gives a full סלע and takes a שקל back (on behalf of himself and another) – owes 2 קלבונות
 - i. קלבון שקל, owes ד"מ לעזר. this is per ר"מ – whether he gives or takes a שקל
 - ii. דב: all agree that he must give for שקל he gives or takes – and one for the תורה's consideration (as above)

III. משנה ז: Various circumstances impacting on liability for קלבון

- a. If: he gave the שקל on behalf of another (e.g. a poor person) - he is exempt
 - i. But if: that was a loan – he is liable
- b. Brothers: who are (still) partners (in father's estate)
 - i. If: they are obligated in קלבון (i.e. operating as partners representing independent financial interests)
 - 1. Then: they are exempt from מעשר בהמה (no obligation for partners)
 - 2. But if: they are liable for מע"ב (i.e. one financial estate) – exempt from קלבון
 - a. ד"א: only considered "new owners" for מע"ב (→ exempt) if they split different animals
 - i. But if: they divided each kind into equal parts, still considered "heirs" – liable
 - b. בכורות ט:ט even if divided each kind into equal parts, considered לקוחות → exempt, per א"א
 - ii. Challenge (ר' ירמיה): why don't we allow for cases where they are liable for both – or exempt from both?
 - 1. Circumstance: if they divided everything but the animals – and then re-partnered
 - a. Then: they'd be liable for both; animals as "original owners" and קלבון as "outside donor"
 - 2. But if: they divided the animals only, they'd be exempt from both
 - 3. Answer (ר' מנא): in our case, the animals are a majority of the estate
 - a. Therefore: if they divided the animals, estate considered fully divided
 - b. As a result: if they did not divide the animals, rest of (minor) division is ignored → קלבון no
 - iii. Challenge (ר' שמי): just because we consider them liable for מע"ב (if they didn't divide estate) – לחומרא
 - 1. Why: should we consider them "original owners" לקולא and exempt them from קלבון?
 - 2. Answer: if they didn't divide, they're simply giving one of father's coins – not partners
 - a. Challenge: if so, even if they divide and re-partner, should be one coin
 - b. Answer: in that case, they are like any other partners – like two brothers-in-law who joined
- c. Value of קלבון 1: קלבון 1 מעה per ר"מ מעה כסף; ר"מ מעה 1 מעה (6 מעה = 1 דינר כסף; 2 שקל = 1 דינר)
 - i. Question: where are קלבונות donated?
 - 1. שקלים ד"מ
 - 2. קרבנות נדבה (נדבה ד"א)
 - 3. ד"ש שזורי used for gold covering of מזבח and in ד"ד
 - 4. money changers take them as their pay (others: used for shipping costs of שקלים to ירושלים)