

4a.2.1

5a (משנה א) → 5b (והשאר נעשו שקלים)

(1) אף בכור אֶשֶׁר יִבְכַּר לֵה' בְּהֶמְהָ לֹא יִקְדֵּשׁ אִישׁ אֶתוֹ אִם שׂוֹר אִם שָׂה לֵה' הוּא: וִיקָרָא כּוּ, כּוּ

תורמין על המשכון ועל הגבוי ועל העתיד לגבות דברי ר' מאיר
 ר' יוסה או' תורמין על המשכון ועל הגבוי אבל לא העתיד לגבות תוספתא שקלים ג, ה

I. שקלים transporting משנה א

- a. *Lightening the load*: they would combine silver שקלים into (fewer) gold coins (drachmas)
 - i. *Question*: why not convert them into jewels?
 - ii. *Answer*: value of jewels may depreciate and הקדש will lose;
 1. *Per*: ת: בכורות ח – all קדשים may be redeemed via שוה כסף – except for שקלים (כלים may depreciate)
- b. *Collection boxes*: just as they had (13) boxes in מקדש (cf. ו:א), so too were there boxes on שלחנות in מדינה
 - i. *Note*: this is only in re: new שקלים; not for old (last year's overdue שקלים, for which there are שופרות במקדש (שופורות במקדש)
 1. *Support*: ברייתא states that there are עתיקין במקדש but not עתיקין במדינה
- c. *Dealing with lost שקלים*: if the townsfolk had sent their שקלים with an agent and they were stolen or lost
 - i. *If*: the תרומה had already been taken, the שליח takes an oath to the treasurers (and are exempt)
 1. *Note*: this is only if he was a שומר חנם (exempt in those cases); but if שומר שכר – they are liable
 2. *Dissent* (ר' אבא): could be stolen by armed robbers or lost at sea (אינס)
 - ii. *But if*: it was stolen/lost before the תרומה, he takes an oath to the בני העיר (to no malfeasance)
 1. *And*: they have to send new שקלים
 - a. *per opinion* (see inset) that תרומה's taken for collected and as-yet-uncollected שקלים
 - i. *But*: to opinion that תרומה was not taken to include as-yet-uncollected שקלים – doesn't work
 - b. *Note*: this ruling is only valid for ר"ש rule that קדשים are never the object of a שבועה
 - i. ר"ש rules (שבועות ו:ה) that an oath may be taken for קדשים for which there is a liability (חייב אחריות)
 - ii. *Dissent* (ר' יוחנן): our משנה is unanimous – the שבועה here is a תקנה, to prevent people from בקדשים
 1. *Challenge*: the oath taken to the גזברין is understood
 - a. *But*: the oath taken to בני העיר seems to be דאורייתא → *contra* ר' יוחנן, only follows ר"ש
 2. *Defense*: this oath is also משום תקנה
 - a. *Ruling*: even if בני העיר are willing to pay, הקדש cannot be “redeemed” without a שבועה
 - iii. *Question*: if he designated his שקל and it got lost – is he still liable?
 1. ר' יוחנן: liable until he gives it to the treasurer
 2. ר' אבא: exempt – the domain of הקדש is everywhere → once he designated, belongs to הקדש
 - a. *Note*: our משנה is at odds with רשב"ל – if תרומה wasn't yet taken, בני העיר are still חייבים
 - b. *Defense*: their renewed liability is also משום תקנה – that they shouldn't treat שקלים lightly
2. *If*: the old שקלים turn up, both sets are שקלים, and they don't count for the next year
 - a. *ברייתא*: the “new” ones go for the new fund; the “old” ones go to last year's fund
 - i. *Dispute*: ר' פינחס ברבי vs. ר' אבא מרי –
 1. *One*: says that the “new” ones are the ones sent first (that got lost)
 2. *Other*: says that the “new” ones are the ones that were received first (the substitute שקלים)

II. תרומת הלשכה in the context of מעילה: משנה ב.

- a. *If*: he was given a שקל on behalf of another and (mistakenly) gave it on his own behalf
 - i. *Once*: the תרומה has been taken – he is liable for מעילה (benefited by being exempted from מחה"ש)
 1. *Note*: in בית רבי, they read "קרבה הבהמה" here, as well as the סיפא
 2. *Explanation* (ר"א): that is *contra* ר"ש, who holds that as soon as donations are given, they are קודש
 - a. *Reason*: כהנים are zealous to offer immediately before they can go bad
 - b. *דבנן*: who disagree with ר"ש, hold (per ט: ד: שקלים) that funds aren't קודש until donations offered
 - i. *But*: our משנה follows ר"ש and as soon as the תרומה is taken, the coins become חולין → מעילה
 - ii. *Challenge*: if someone steals another's עולה and it is offered סתם – it's accepted for original owner
 1. *Answer* (ר' יודן): could be that the (sent) donor is one of the important people of ר"ג's household
 - a. *In which case*: the תורם has him explicitly in mind, "rejecting" the original owner
 - iii. *Challenge*: perhaps the שקל will not be included in the תרומה and will go to שיריים
 1. *And*: there is no מעילה בשיריים
 2. *Proposal*: perhaps it follows ר"מ, who holds that there is מעילה בשיריים?
 - iv. *Question*: what benefit did he get (that he is liable for מעילה)?
 1. *Answer*: since ב"ד can seize his property for the מחה"ש and now they won't do so- he has הנאה
- b. *If*: he gave שקלים from his own coins that he had dedicated to בדיק הבית; once the animal was offered – מעל
 - i. *But if*: he used מע"ש or שמיטה coins, he should eat (בקדושת מע"ש or שביעית) per that amount
 - ii. *Method*: per v. 1, קדושה cannot be attached to that which is already קודש
 1. *Therefore*: in case he used מעות מע"ש as שקלים, he brings a coin of חולין, redeems the מע"ש funds on it
 - a. *And then*: uses that new coin to buy per directives of מע"ש and the old מע"ש coin is שקלים