

33.4.3

23b → 24a (סיום הפרק) (אמר רבי אמי המפרשי שני ציבורי מעות לאחריות)

Note: our סוגיא discussed the practice of "מרגילין" – stripping the pelt off of an animal from the legs. This took extra effort and the result was deleterious to the meat, but advantageous to the pelt and would produce a highly sought-after pelt which could be sold for more

1. אָשָׁם הוּא אָשָׁם אָשָׁם לָהּ: וְיִקְרָא הָ, יֵט

- I Status of "unpreferred" moneys or animal when two (sets) are designated לאחריות (as back up in case one is lost)
- a אמ' if he designates 2 sets of coins לאחריות, he may use either one for חטאת and the other goes to נדבה
- i Question: according to whom?
- 1 If: according to רבי, it should be obvious; he only deems למיתה when one was lost, but not לאחריות
 - 2 If: according to רבנן, even more obvious via ק"ו – if a lost and refound animal goes לנדבה, certainly אחריות
 - 3 Rather: must be according to ר"ש (author of strictest version of חמש חטאות מתות)
- (a) Justification: we might have thought that he never allows for חטאת → נדבה – קמ"ל
- (b) Challenge: we know that ר"ש allows for חטאת → נדבה, per his support of יהודיע on v. 1, contra opinion of שקלים ו:ה) עולות (אשמות) go to חטאות (and אשמות) יהודה
- (i) Defense: we might have thought that he only allows for נדבה with one set of moneys (e.g. where he set aside x in coins but goats depreciated and he bought it for x/2) that surplus goes to נדבה,
1. But not: in a case of 2 separate sets of coins – קמ"ל
- b אמ' if he designates two חטאות for אחריות, he may use either and the other grazes
- i Question: according to whom?
- 1 If: according to רבנן – obvious; if they allow for רעיה when he designated a replacement, certainly לאחריות
 - 2 If: according to ר"ש – should not be true; he reads חמש חטאות מתות strictly, including שנתכפרו בעליה חטאת
 - 3 Rather: must be according to רבי; he only holds מתה when the 2nd was designated as replacement, not לאחריות
- (a) Challenge1: end of our משנה – רבא"ש's ruling – if חטאת becomes בע"מ and he sells it and then offers the replacement before buyer slaughters בע"מ, it must die
- (i) Assumption: he follows רבי → even אחריות-surplus dies
- (ii) Rejection: he holds like his father (ר"ש)
- (b) Challenge2: ruling from יומא re: what happens when one of the goats dies after הגרלה
- (i) Ruling: bring another pair and do a הגרלה, then the "surplus" grazes because it is a קרבן צבור
1. Implication: a parallel case with קרבן יחיד would die
 2. And: we read רב's ruling, that the "surplus" is the extra of the 2nd pair, which was designated לאחריות
 3. Defense: in that case, רב holds בראשון מצוה בראשון, therefore when the 2nd pair was brought, it was designated לאיבור from the start
- c Tangent: ר' שמי בר זירי's errant ברייתא (recited before ר"פ): if lost at moment of הפרשה – רבי deems למיתה רבנן; רבנן – grazes
- i And: if lost at moment of כפרה – inverse
- ii Rejection (ר"פ): ק"ו that רבי would say למיתה if lost at moment of כפרה ברייתא adjusted accordingly)
- II מרגילין – forbidden on יו"ט (see note above) – פסוה"מ or בכור; similarly, may not be done to פסוה"מ
- a understood – extra work for no gain אוכל נפש יום טוב
- b authored by ב"ש, who regard בע"מ בכור as still requiring treatment as הקדש (re not allowing נדה to partake) ר"ח בכור
- c authored by רב"ש (our משנה and רב"ש) (תוספתא תמורה ב:יב) who regards פסוה"מ as קודש even after שחיטה
- i Note: ר"ח cannot attribute entire משנה to ב"ש; we only know their position re: בכור – but possibly don't extend to פסוה"מ, since בכור has "קדושה born-in" (מרחם)
- 1 And: cannot attribute entire משנה to רב"ש; perhaps only applies to פסוה"מ, which are strong enough to generate פדיון – but not to בכור, which cannot generate פדיון even after it becomes בע"מ
- ii Challenge (to רב"ש): ח"א allows for selling פסוה"מ בכורות in market place (i.e. we attempt to help הקדש gain)
- 1 Answer: the practice of מרגילין, while it adds value to pelt, diminishes value of meat (per note, above)
- d Alternate explanation from א"י: stripping skin from legs looks like he's performing עבודה קדשים
- e Alternate explanation (ר' יוסי בר אבין): perhaps he'll keep בע"מ בכור and פסוה"מ around to wait for buyer of whole pelt