

36.3  
 [23b (משנה א) → 25a (סיום המסכת)]  
 Note: א משנה picks up from א:ב-ג, that if חטאת and עולה got mixed up, ½ of each set is כשר if the groups are of equal number; if not, ½ of the smallest group's number is valid.

מסיר שפה לנאמנים וטעם זקנים יקח: איוב יב, כ בישישים חכמה וארץ ימים תבונה: איוב יב, יב

- I א משנה: caveat on א:א (see note) – only if כהן asks us beforehand
  - a However: if he doesn't ask and offers them; in a case where both women have same number of קנים
    - i If: he put them all "above" or all "below" – ½ כשר and ½ פסול
    - ii If: he put ½ above and ½ below, ½ of each group is valid (i.e. ¼ are valid as חטאות, ¼ valid as עולת – ½ are פסול)
- II ב משנה: variation on א משנה – if there were variant numbers of קנים
  - a If: he offered all above or all below – ½ are כשר
  - b If: he offered ½ above and ½ below, a number of קנים corresponding to the greatest group number is valid
    - i For instance: if B brought 2, C - 3 and D - 4 and they all got mixed and כהן did ½ above and ½ below – 4 קנים are valid
  - c Rule: whenever the קנים can be divided such that all of the above ones (and below ones) could not be one woman's
    - i Then: ½ are valid
    - d But: when it is possible that all of them belong to one woman, only the greatest number of קנים is valid
- III ג משנה: if א חטאת gets mixed with עולה (or vice-versa) and the כהן does not ask us (if he did – all die, per א:ב)
  - a If: he did all above or all below – ½ כשר
  - b If: he did ½ above and ½ below – all are פסול
    - i Reason: we are concerned that those done below were עולות and those done above were חטאות
- IV ד משנה: mixture of א חטאת and עולה and קן סתומה (total of 6 birds – only 2 undesigned)
  - a If: he did all above or below, ½ are כשר, ½ פסול
  - b If: he did ½ above and ½ below, only the סתומה is valid and if owned by two women, they divide the סתומה
    - i Meaning: they must bring another קן together
    - ii Note: this explanation follows רש"י רב"ד - רש"י reads ומפורשת סתומה ועולה חטאת and חטאת – i.e. there are 4 birds, א סתומה and ח"ע of מפורשת
- V ה משנה: if א חטאת gets mixed in with א קן סתומה at various ratios and the כהן offered the mix ½ above and ½ below
  - a Note: same consequences if an עולה gets mixed in
  - b If: it is 1 חטאת mixed in with 1 קן (or 2::2 etc.) then only the number of חטאות in the חובה is valid
  - c But if: there are twice as many חובות as חטאות (that got mixed in) – ½ are כשר and ½ are פסול
  - d And if: there are twice as many חטאות as חובות – the amount in the חובה is valid
- VI ו משנה: consequences of a woman adding א נדר to her חובה and subsequent confusion about her נדר
  - a If: a woman made א נדר to bring א קן if she has (e.g.) א boy, she must bring 2 קנים, 1 נדר (עולות) and 1 for חובה (חטאת ועולה)
    - i זבח: must bring 3 above and 1 below; if he brings 2 up and 2 down, she must bring one more, to be offered above
      - 1 Note: this is true if she brought all 4 as תורין or all 4 as בני יונה
    - ii But: if she brought one nest of each and the כהן doesn't remember which he offered first (→ חובה)
      - 1 Then: she must bring another 2 birds – one of each kind – each of which is offered above as עולת העוף
    - iii And if: she explicated which type of bird when she vowed; but forgot what she said – and brought all 4 of the same type
      - 1 And: כהן errantly offered 2 up and 2 down
      - 2 Then: she must bring 3 more as עולות; 1 from the same type she brought and 2 from the other type
    - iv And if: given that נדר (and confusion) she brought two different kinds – must bring 4 birds – all offered above
    - v And if: she set her נדר to be with the חובה (but forgot which type of bird she committed to bring) – must bring 5
    - vi And if: given that scenario, she brought two different types – must bring 6
    - vii And if: she gave them to the כהן, but doesn't remember what she gave and he doesn't remember what he offered
      - 1 Then: she must bring another 4 for her נדר (2 of each type); 2 for her חובה and one חטאת
        - (a) חטאות 2: זבן עזאי
        - (b) יהושע: this is the meaning of the aphorism that an animal makes one sound when alive and 7 when dead
        - (c) Simple meaning: 2 horns as trumpets; 2 legs as two חלילין, pelt for drum-skin; innards for lyre-strings, innards for harp-strings; some add that his wool is used for תכלת of כהונה
  - b Concluding אגדה: שמעון בן עקשיא: אגדה: as ר' שמעון בן עקיבא get older, they get more foolish, but ת"ח זקני get wiser (verses in text-box)

הדרן עלך מסכת קנים והדרן עלן