



בס״ד Intro

Today we will בע"ה learn קי"ב חדרין of מסכת סנהדרין of מסכת of the topics we will learn about include.

The Machlokes regarding עד שיודח רובה

The way Bais Din sentences the majority who worshipped עבודה זרה.

The Halachah of

החמרת והגמלת העוברת ממקום למקום הרי אלו מצילין אותה

If only half the residents of the city worshipped עבודה זרה, the donkey and camel drivers who come occasionally are combined with them to create רוב, because they are considered יושבי, those who live in the city.

The distinction between

נכסי צדיקים

The items that belong to the righteous who did not worship אנבודה זרה, and

נכסי רשעים

The items that belong to the wicked who did worship עבודה זרה,

The Machlokes regarding

אין לה רחוב

Whether a city that had no street can become an עיר הנדחת.

The Halachah of שללה

ולא שלל שמים

Only the assets that belong to the people become forbidden, but not the assets that belong to הקדש

The Machlokes רבי יוחנן וריש לקיש regarding קדשי קדשים

Whether Korbanos that were קדשי קדשים must be put to death, OR they may be used to purchase other Korbanos.

The distinction between

תרומה ביד כהן

ירקבו

תרומה fruits of an עיר הנדחת that was already in the Kohen's possession becomes forbidden, while

תרומה ביד ישראל

תנתן לכהן שבעיר אחרת

ש was still in the owner's possession, is permitted and may be given to a Kohen in another city.





תנתן לכהן שבעיר אחרת







So, let's review ...

The previous Mishnah taught עד שיודה רובה

A city becomes an עיר הנדחת only if most of the inhabitants worshipped עבודה זרה.

The Gemara asks

היכי עבדינן

Since Bais Din must accept עדים for each, and every, person, how can they create a רוב in one day and execute them all with מרובים as סייף?

רבי יוחנן says דנין וסוקלין דנין וסוקלין

Bais Din first sentences and executes each person on different days with סקילה, as יחידים, until they become תוב, and then all the others are executed with יסי, as מרובים.

While ריש לקיש says מרבין להן בתי דינין

They establish multiple courts to accept עדים for each person and then the סנהדרין הגדול of 71 judges sentences them all on the same day to סייף as סייף.

=====

Dedicated By: _



ער שיורח רובה

A city becomes an עיר הנדחת only if most of the inhabitants worshipped עבודה זרה

?היכי עבדינן

Since Bais Din must accept היץ for each, and every, person, how can they create a רוב in one day and execute them all with מרובים as



דנין וסוקלין דנין וסוקלין

Bais Din first

sentences and executes each person on different days with סקילה, as יחידים, until they become רוב

and then all the others are executed with סייף, as מרובים



מרבין להן בתי דינין

They establish multiple courts to accept עדים for each person

and then

the סנהדרין הגדול of 71 judges sentences them all on the same day to סייף מרובים as







The Mishnah proceeds with the following Pasuk: הכה תכה את יושבי העיר הזאת לפי חרב

The words יושבי העיר imply that all those who live in the city, even though they are not permanent residents, such as החמרת והגמלת העוברת ממקום למקום

The donkey and camel drivers, who come to town occasionally, are figured in to create a majority.

Therefore, as the Braisa elaborates;

For example, in a case where only half the residents of the city worshipped עבודה זרה; and לנו בתוכה והודחו עמה

These temporary residents joined in worshipping the יעבודה זרה; it depends:

אם נשתהו שם ל' יום

הן בסייף וממונן אבד

If the camel drivers already lived in the city for thirty days, they are considered יושבי, residents of this city, to create a מרובים of worshippers who are judged as מרובים and punished with o" and their assets are forbidden. פחות מיכן

הן בסקילה וממונן פלט

If the camel drivers lived in the city for less than thirty days, they are not considered יושבי העיר and cannot be counted to create a רוב. Therefore, the worshippers are considered סקילה who are punished with סקילה and their assets are not forbidden.

Now, the בר"תא, as just explained, discusses a case of

These temporary residents joined in worshipping the עבודה זרה.

However, the משנה in the previous Daf discusses a case of

These temporary residents did not join in worshipping the

And the Mishnah therefore rules:

החמרת והגמלת העוברת ממקום למקום

הרי אלו מצילין אותה

And Rashi there explains as follows:

If a bare majority of the permanent residents worshipped עבודה זרה; in which case they are judged as מרובים, and their דין would be

הן בסייף וממונן אבד

However,

אם נשתהו שם ל' יום

If the temporary residents are already there 30 days, they are considered תושבי העיר and can be added to the minority to create a רוב of non-worshippers. Therefore, the דין of the worshippers changes to יחידים and

הן בסקילה וממונן פלט

And so, the temporary residents מצילין אותה, saved their assets.

Of course, if it's

פחות מיכן, less than 30 days;

The temporary residents are not considered תושבי העיר and cannot be added to the minority of non-worshippers.

Therefore, the דין of the worshippers remains as מרובים, and

הן בסייף וממונן אבד

Dedicated By: _

הכה תכה את יושבי העיר הואת

that all those who live in the city, even though they are not permanent residents

החמרת והגמלת העוברת ממקום למקום

The donkey and camel drivers, who come to town occasionally, are figured in to create a majority

Therefore, in a case where only half the residents worshipped עבודה זרה; and

לנו בתוכה והודחו עמה

These temporary residents joined in worshipping the עבודה זרה it depends:

אם נשתהו שם...

punished with סהילה and their assets are not forbidden

ל' יום הן בסייף ממונן אבד

to create a רוב and punished with סייף and their assets are forbidden

discusses a case הודתו עמה These temporary

כא הודחו עמה residents joined These temporary in עבודה זרה residents did not join in עבודה זרה

החמרת והגמלת העוברת ממקום למקום הרי אלו מצילין אותה

Rashi there explains: If a bare majority of the permanent residents worshipped עבודה זרה; in which case they are judged as מרובים, and their דין would be הן בסייף וממונן אבד

פחות מיכן Not considered תושבי העיר and cannot be added to the minority of non-worshippers

Therefore, the דין of the worshippers remains as מרובים, and הן בסייף וממונן אבד

אם נשתהו שם ל' יום תושבי העיר Considered and can be added to create a רוב of non-worshippers

Therefore, the דין of the worshippers changes to יחידים and הן בסקילה וממוגן פלט







3 Regarding the 30 days;

The Gemara asks from a Mishnah in Masechta בבא בתרא which rules

כמה יהא בעיר

ויהא כאנשי העיר

י"ב חודש

A person is considered a resident of a city only after 12 months to become obligated to contribute to the city's expenses?

While our Mishnah says

שלשים יום

He is considered a resident even after 30 days.

The Gemara answers with the following distinction:

אנשי העיר

Means

בני מתא

A resident of the city; which is only after

י"ב חודש

12 months

However,

יושבי העיר

Means

יתובי מתא

Inhabitants of the city; which is even after

שלשים יום

30 Days

======

Regarding the 30 days... אלות - ההא התרא: כמה יהא בעיר ויהא כאנשי העיר י"ב חודש A person is considered a resident of a city only after 12 months to become obligated to contribute to the city's expenses יושבי העיר אנשי העיר means means יתובי מתא בני מתא Inhabitants of the city; A resident of the city; which is even after which is only after שלשים יום י"ב חודש

The Mishnah proceeds with the following Pasuk: החרם אותה לפי חרב החתם אשר בה ואת כל אשר בה ואת החרם אותה ואת כל אשר בה ואת ניד must be burned.

Based on this Pasuk, the Mishnah rules regarding נכסי צדיקים

The assets that belong to the righteous who did not worship עבודה זרה זר, עבודה אוני:

שבתוכה

אובדין

שבחוצה לה

פליטין

Only their assets located inside the city are burned, but their assets outside the city are spared, because the word includes even בה but the word, but the word בה excludes only שבתוכה.









And רבי שמעון explains the reasoning for this Halachah: מפני מה אמרה תורה

נכסי צדיקים שבתוכה יאבדו מי גרם להם שידורו בתוכה, ממונם לפיכך ממונם אבד

The נכסי צדיקים inside the city are burned, because it is these assets that caused the צדיקים to reside in a city whose majority were רשעים.

However, regarding נכסי רשעים

The assets that belong to the wicked who did worship עבודה זרה;

בין שבתוכה בין שבחוצה לה הרי אלו אובדין

All their assets, even those located outside the city are burned, because the Pasuk states

ואת כל שללה

The word כל includes even שבחוצה לה

רב חסדא adds ובנקבצים לתוכה

Only נכסי רשעים that are close by and can be brought into the city on the same day, are burned, but the נכסי רשעים that are not close by and cannot be brought to the city on the same day, are spared.

=====

Dedicated By: _



נכסי רשעים The assets that belong to the wicked who did worship עבודה זרה;

בין שבתוכה בין שבתוצה לה הרי אלו אובדין All their assets, <u>even those locate</u>d outside the city are burned

> "יאת כל שלללה" includes even לפתוצה אם



Only ככסי רשעים that are close by and can be brought into the city on the same day, are burned

but the בכסי רשעים that are not close by and cannot be brought to the city on the same day, are spared







6

The Mishnah proceeds with the following Pasuk וואת כל שללה תקבוץ אל תוך רחובה וואת כל שללה תקבוץ אל תוך רחובה

All the assets must be collected and placed in the main street of the city.

אם אין לה רחוב

עושין לה רחוב

And if the city had no street, they must now make a street, and

היתה רחבה חוצה לה

כונסין אותה לתוכה

If the main street was outside the city, they must move the street to inside the city.

=====

The Mishnah continues with the Pasuk:

ושרפת באש את העיר ואת כל שללה

כליל לה' אלהיד

The word שללה implies

שללה

ולא שלל שמים

Only the assets of people become forbidden, but not the assets of הקדש. Therefore, the Mishnah rules;

מכאן אמרו ההקדשות שבה

פדו

The הקדש items inside the city are redeemed, and they become permissible.

ותרומות ירקבו

The תרומה fruits must be left to rot; and

מעשר שני

וכתבי הקדש יגנזו

The מעשר שני fruits and the Seforim must be buried.

The Mishnah proceeds...

ואת כל שללה תקבוץ

All the assets must be collected and placed in the main street of the city

אם אין לה רחוב עושין לה רחוב

And if the city had no street, they must now make a street

היתה רחבה חוצה לה כונסין אותה לתוכה

If the main street was outside the city, they must move the street to inside the city



ושרפת באש את העיר ואת כל שללה כליל לה' אלהיך

Implies שללה – ולא שלל שמים

Only the assets of people become forbidden, but not the assets of הקדש

Therefore, the Mishnah rules;

מכאן אמרו

ותרומות ירקבו

מעשר שני fruits and the Seforim must be buried מעשר שני וכתבי הקדש

> לגנון תרומה fruits must be left to rot

ההקרשות שבה

הקדש items are redeemed, and become permissible

יפדו









The Gemara elaborates on each Halachah:

ההקדשות שבה יפדו

The Gemara cites a Braisa

היו בה קדשים

Regarding הקדש animals, it depends:

קדשי מזבח

ימותו

קדשי בדק הבית

יפדו

Animals consecrated to be Korbanos, are put to death; Animals consecrated for the maintenance of the Bais Hamikdash, are redeemed and become permitted.

רבי שמעון adds בהמתה ולא בהמת בכור ומעשר

The word בהמתה excludes an animal that is a מעשר or מעשר or, that it does not become forbidden. And שללה שלה

פרט לכסף הקדש וכסף מעשר

The word שללה excludes money of מעשר שני and מעשר שני, that it does not become forbidden.









8 7

The Gemara asks

קדשי מזבח

אמאי ימותו

ירעו עד שיסתאבו וימכרו ויפלו דמיהן לנדבה

Why are the Korbanos put to death?

Since they are שלל שמים, they should be put out to pasture until they get a blemish and can then be redeemed, and the money can be used for other Korbanos?

says רבי יוחנן

זבח רשעים תועבה

The money of these animals cannot be used for other Korbanos because since their owners were דשעים their Korbanos are repulsive and as Rashi explains therefore כונסין אותו לכיפה

The animals are brought into a room where they die on their own, but they are not killed with a sword because they are are הקדש they must be dealt with in a respectable manner

ריש לקיש says the Braisa refers to בקדשים קלים

The Korbanos that have a minor Kedushah such as a תודה הושלמים, and this is the opinion of רבי יוסי הגלילי ארטי שלים ממון בעלים עלים ממון בעלים ממון בעלים

קדשים קלים קלים are considered in their owner's possession, therefore they become forbidden because they are not שמים.

However

קדשי קדשים

יפדו

Korbanos of קדשים לס not become forbidden and can be redeemed and used for other Korbanos, because they are שלל שמים, and there is no concern for

זבח רשעים תועבה

Because ריש לקיש makes the following distinction: הני מילי היכא דאתנהו בעינייהו

אבל הכא כיון דאישתני אישתני

The Issur applies only to the original Korban animal of a רשע, while here the הקדש was transferred from the original Korban to another animal.

=====

Dedicated By: __

8



קדשי מזבח אמאי ימותו ירעו עד שיסתאבו וימכרו ויפלו דמיהן לנדבה?

Why are the Korbanos put to death? Since they are שלל שמים, they should be put out to pasture until they get a blemish and can then be redeemed, and the money can be used for other Korbanos?



The Korbanos that have a minor Kedushah such as a תודה ושלמים

This is the opinion of יוסי פאלי שאט who says קדשים קלים ממון בעלים

קדשים קלים are considered in their owner's possession, therefore they become forbidden because they are not שלל שמים



קדשי קדשים יפדו

Korbanos of קדשי קדשים do not become forbidden and can be redeemed and used for other Korbanos Because they are שלל שמים, and there is no concern for זבת רשעים תועבה

Because ep/en makes the following distinction:

אבל הכא כיון דאישתני אישתני

While here the הקדש was transferred from the original Korban to another animal הני מילי היכא דאתנהו בעינייהו

The Issur applies only to the original Korban animal of a רשט







The Gemara proceeds with ירבי שמעון's statement

ולא בהמת בכור ומעשר

And offers two explanations:

1.

According to the first explanation, בי שמעון is not referring to

בכור ומעשר

תמימין

To an animal that has no blemish and is still eligible to be a Korban:

Because the animal is already excluded from the Issur through the word

שללה

ולא שלל שמים

Rather, רבי שמעון refers to

בכור ומעשר

בעלי מומין

To an animal that has a blemish and is disqualified to be a Korban:

Therefore, it cannot be excluded from the Issur through the word

שללה

ולא שלל שמים

Because it is no longer considered שלל שמים;

Therefore, רבי שמעון introduces another exclusion from the word בהמתה, that

מי שנאכל בתורת בהמתך

יצאו אלו שאין נאכלין בתורת בהמתך

אלא בתורת בכור ומעשר

The Issur of עיר הנדחת applies only to animals that are referred to as your animals; but the Issur does not apply to animals that are referred to as animals of בכור ומעשר.

The Gemara proceeds with אינין שיני statement בהמתה ולא בהמת בכור ומעשר And offers two explanations:



רבי שמעון is not referring to בכור ומעשר תמימין

An animal that has no blemish and is still eligible to be a Korban

Because the animal is already excluded from the Issur

Rather, רבי שמעון refers to בכור ומעשר בעלי מומין

An animal that has a blemish and is disqualified to be a Korban;

Therefore, it cannot be excluded from the Issur through the word

PIN IN LII - IM

Because it is no longer considered PIN IN

Therefore,

רבי שמעון introduces another exclusion from the word בהמתה, that

מי שנאכל בתורת בהמתך יצאו אלו שאין נאכלין בתורת בהמתך אלא בתורת בכור ומעשר

The Issur of עיר הבדתת applies only to animals that are referred to as your animals; but the Issur does not apply to animals that are referred to as animals of



Dedicated By: ___





10

10

According to the second explanation, רבי שמעון is referring to all animals of

בכור ומעשר

Even

בכור ומעשר

תמימין

As שמואל says that it depends on the following:

כל שקרב כשהוא תם

ונפדה כשהוא בעל מום

משלל אימעיט

All Korbanos with a מום that can only become permitted to be eaten through פדיון, are excluded from the Issur עיר through the word שללה because since they require שלל שמים they are still considered פדיון.

וכל שקרב כשהוא תם

ואינו נפדה כשהוא בעל מום

כגון בכור ומעשר

However, מום בכור ומעשר with a טום that become permitted to be eaten through the מום alone, without פדיון, are excluded from the Issur only through בהמתה but not through, because since they do not require פדיון they are no longer considered שלל שמים שלל שמים.

=====

(2)

רבי שמעון is referring to all animals of בכור ומעשר בכור ומעשר בכור ומעשר פכור ומעשר תמימין

As אוא says that it depends on the following: כל שקרב כשהוא תם

ונפדה כשהוא בעל מום משלל אימטיט

All Korbanos with a מום that can only become permitted through פדיון are excluded from the Issur wללה through the word

> Because since they require prod they are still considered prof M

וכל שקרב כשהוא תם ואינו נפדה כשהוא בעל מום כגון בכור ומעשר

However, מום with a מום alone, without through the מום alone, without פדיון are excluded from the Issur only through בהמתה but not through

Because since it is known as lap it must be dealt with in a respectful manner



Dedicated By: _







Now, regarding תרומות ירקבו

The תרומה fruits must be left to rot and may not be consumed, because as the Gemara explains the Mishnah refers to

תרומה ביד כהו

The תרומה was already in the Kohen's possession.

Therefore, the תרומה becomes forbidden because it is no longer שלל שמים. However, the חומה is not burned, because since it is known as קודש it must be dealt with in a respectful manner.

And for this reason

מעשר שני

יגנזו

The מעשר שני fruits must be buried, and may not be consumed, because since they belong to the owner they are not שלל שמים. However, the מעשר שני is not burned, because since it is known as קודש it must be dealt with in a respectful manner.

However,

תרומה ביד ישראל

תנתן לכהן שבעיר אחרת

If the תרומה was still in the owner's possession, the חדומה is permitted and may be given to a Kohen in another city, because the תרומה is considered שלל שמים.

תרומות ירקבו

Because the Mishnah refers to תרומה ביד כהו

The תרומה was already in the Kohen's possession Therefore, the תרומה becomes forbidden because it is no longer שלל שמים

However, the תרומה is not burned, because since it is known as it must be dealt with in a respectful manner



The מעשר שני fruits must be buried, and may not be consumed because since they belong to the owner they are not pul Th

However, the מעשר שני is not burned, because since it is known as קודש it must be dealt with in a respectful manner.



תרומה ביד ישראל תנתן לכהן שבעיר אחרת

If the תרומה was still in the owner's possession, the תרומה is permitted and may be given to a Kohen in another city Because the און is considered און און



