

1 Today we will learn בע"ה of דף ה of שקלים.

The topics we will learn about include:

The gemara will continue its discussion about partnerships resulting from a ירושה and how it relates to השקל מחצית.

The gemara will bring 5 opinions as to what the Kalbon funds were used for in the Bais HaMikdash

The next Mishna discusses transportation of the shekalim to Yerushalayim, as well as cases of liability to the messengers if the Machtzis HaShekel was lost or stolen along the way.

The mishna on Amud Bais will discuss the laws of מעילה. one who benefited from the Machtzis HaShekel for his own personal use, and bring several cases to illustrate this law.

1 Partnerships

השקל מחצית

קלבון
5 opinions

ירושלים
Liability

מעילה

Benefiting from the השקל מחצית

2 Some of the key terms and concepts we will learn about include:

קדשים שהוא חייב באחריותם כנכסיו הן. Some types of Kodshim, must be replaced by the owner should something happen to them, for example Nedarim, and Shekalim, as our mishna describes. Even though they must be replaced, there is a machlokes if they still are halachically considered still belonging to the owner. Rabbi Shimon holds that they are still considered possession of the original owner, and if something happens, he must replace them.

מעילה It is forbidden to derive any personal benefit from that which is hekdesh. If one did so intentionally, besides being liable for Malkos, they must pay back the value of their benefit, and the item retains its Kedusha.

מועיל If one is unintentionally, they must bring a קרבן מעילה, pay back the amount of their personal benefit, and add a fifth to this amount.

מעשר שני After separating Teruma Gedola and Maaser from ones crop, on the 1st, 2nd, 4th and 5th year of the shmita cycle one separates an extra portion of maaser which is called Maaser Sheni. Maaser Sheni must be brought to Yerushalayim, and eaten there when one is in a state of purity. If it is not practical to bring the produce to Yerushalayim, one may redeem the Maaser Sheni onto a coin, and bring that coin to Yerushalayim to buy food there, which again becomes maaser sheni.

דמי שביעית If someone purchases produce that grew in the year of Shmita, the money also takes on the status of Kedushas Sheviis. This money must be used to purchase food, which then again takes on the status of Kedushas Shevis.

2 קדשים שהוא חייב באחריותם כנכסיו הן

מעשר שני

מעילה

Personal benefit from הקדש

קדושה

דמי שביעית

קדושה

3 So lets review....

We had said on the previous daf that if a partnership is chayav in maser behayma by definition it would be exempt from having to pay a kalbon.

Rav Yirmiah adds to this that in fact there can be a situation where they would be chayav in both or exempt from both. He explains: If they did not divide up the animals but did divide the other possessions, then they would be chayav in maser behayma and in the kalbon. They would be chayav in maser behayma as the animals are still considered one estate of the deceased, and so this fulfills יהיה אשר יהיה. They are chayav in the kalbon as they are no different than any other partners who are chayav in a kalbon.

And if they separated the animals and then rejoined as partners vis-a-vis the animals, but did not yet divide the remainder of the yerusha, then they are not yet considered proper partners and are therefore patur from paying the kalbon if they paid together, and are also exempt from Maaser behayma, as the animals belong to more than 1 person.

Rabbi Mana qualifies this that the case where they would be chayav in both is only true if the animals do not comprise the majority of the yerusha. However if the animals do comprise the majority of the yerusha, then even if they divided up the rest of the yerusha, since this is the rov, it is still considered as belonging to the estate and thus the brothers would be patur from a kalbon.

3 Partnerships

Brothers who haven't divided their יולב

When חייב in מעשר בהמה is ✓

קלבון from פטור is ✗

When the brothers have divided and rejoined

When פטור from מעשר בהמה is ✗

קלבון in חייב is ✓

ר' ירמיה

ר' מנא

Only if animals aren't the majority

4 The gemara now questions what the kalbon money was used for and then brings 5 opinions to answer.

Rav Meir, who holds that the kalbon is a Torah directive, holds that it is designated for the same purposes as the machtzis hashekel itself, namely to fund the purchase of public sacrifices such as Temidim and Musafim.

Rabbi Elazar holds that it is used to purchase voluntary public sacrifices, which are brought when the mizbaich is not otherwise in use.

Rabbi Shimon Shezuri holds that it is used to purchase gold tiles which were used to adorn the Kodesh Kodashim.

Ben Azai holds that they were given as payment to the money changers who would change the Shekels into half shekel coins. And some say that these funds were used to pay the transportation fees of those handling the coins, to bring them all to Yerushalayim to the Bais Hamikdash.

Hadran alach Perek BeEchad BeAdar



5 Perek 2 שקלים

The Mishna begins

מצרפין שקלים לדרכונות מפני משוי הדרך

One is allowed to change many 1/2 shekel coins for darkonot, which were gold coins that were in use at the time, in order to ease the transport of all the coins to Yerushalayim.

כשם שהיו שופרות במקדש כך היו שופרות במדינה

Just as there were shofrot, tzedaka boxes shaped as a shofar, which were narrow at the opening and wider further down, situated in the bais hamikdash, so too these tzedaka boxes were placed in all cities outside of yerushalayim as well.



6 בני העיר ששלחו את שקליהם ונגנבו או אבדו

People living in cities who sent their 1/2 Shekel coins with a Shaliach, and the messenger lost the coins along the way, if the terumas Halishcha was already performed in the beis HaMikdash, then the shlichim must give an oath to the gizbarim that the shekalim were lost or stolen and they are exempt from liability. Since the trumas halishcha was already performed, it is considered as if the coins were already in the reshus of the bais hamikdash.

If the terumas Halishcha was not performed yet, then the shelichim give an oath to the people that sent them, and they must give another machtzis HaShekel.

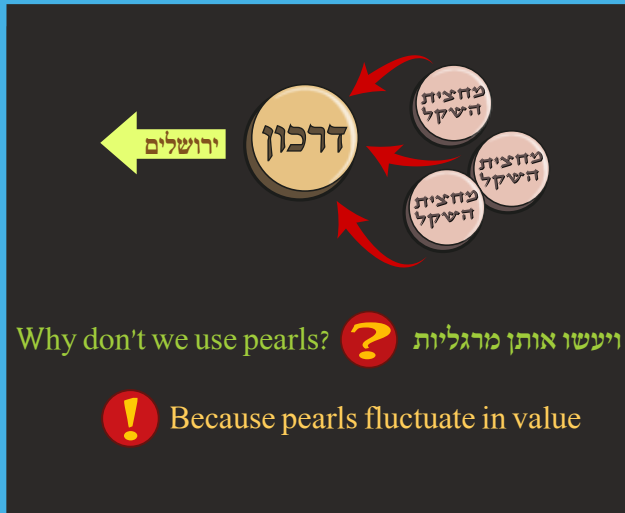
נמצאו או החזירו הגגבים

If the coins were subsequently found, or returned by the thieves, both shekalim go to the Beis HaMikdash, and they cannot be saved for these people for the following year.



7 The gemara asks, if we are concerned about transporting the coins, ויעשו אותן מרגליות
 Let them redeem the coins for pearls, which would be much lighter than gold coins.
 The gemara answers
 שמא תזיל המרגליות
 The pearls can fluctuate in value, which may cause a loss to the coifers of the Bais HaMikdash. The Darkonot, the gold coins are a stable currency which did not fluctuate which is why they were used to redeem the ½ Shekel coins.

7



Why don't we use pearls? ? ויעשו אותן מרגליות
 ! Because pearls fluctuate in value

8 The gemara clarifies about the שופרות
 מתנייתין בתקלין חדתין אבל תקלין עתיקין לא בדא
 One may donate into these kupot only this year's ½ Shekels. However if someone somehow did not give over last year's ½ shekel, he must come personally to Yerushalaim to donate there, as last year's ½ Shekel coins went for other purposes, and these need to be deposited directly into these special boxes designated just for them.

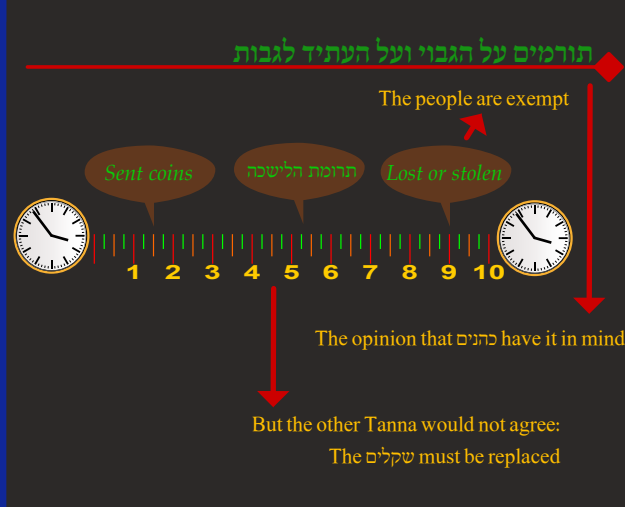
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מתנייתין בתקלין חדתין
 Only this year's
 אבל תקלין עתיקין לא בדא
 Last year's need to be deposited directly

9 א"ר יוסטי ב"ר סימון אתיא כמו"ד תורמים על הגבוי ועל העתיד לגבות
 This that we learned that shekalim lost on the way to Y-m after the הלשכה are exempt from giving another machtzis hashekel, goes according to the opinion that when performing the Terumas HaLischa, the Kohanim have in mind also the shekalim that will be still arriving. And so, these lost shekalim are considered already in the hands of Hekdesh. But according to the Tanna who holds that the Terumas HaLishcha includes only the shekalim that actually reached the Beis HaMikdash, he would not agree with the ruling of our mishna, and would hold that lost or stolen shekalim would need to be replaced by the owner.

9



תורמים על הגבוי ועל העתיד לגבות
 The people are exempt
 The opinion that כהנים have it in mind
 But the other Tanna would not agree:
 The שקלים must be replaced

10 The gemara now examines the oath given by the shaliach in the case of the lost or stolen Shekalim. There is normally a rule, אין נשבעין על ההקדש, that once an item is pledged to Hekdesh, it belongs to Hekdesh and therefore there is no concept of giving an oath to the one who donated the item, as it no longer belongs to the donor. And therefore why we would we have an oath as our mishna describes.

The gemara brings 2 opinions: אמר רבי אלעזר דרבי שמעון היא. Rabbi Elazar holds that the oath follows the opinion of Rabbi Shimon who holds that once an item is pledged to Hekdesh, it belongs to Hekdesh and therefore there is no concept of giving an oath to the one who donated the item, that one is still liable for, is still considered the possession of the donor. Since that is the case here by the machtzis haShekel, an oath is warranted, according to Rabbi Shimon.

Rabbi Yochanan holds that this שבועה is according to all opinions, and while normally אין נשבעין להקדש, our case is different as the chachamim instituted this oath so that the messengers should not take their shmira lightly. The gemara strengthens the view of Rabbi Yochanan who says that the oath is a takanas chachamim, by saying that if it is not a takana, why would someone need to give an oath to the gizbarim of the Bais HaMikdash. They certainly are not responsible for replacement of the shekalim. Rather, explains that gemara, the oath to the gizbarim is given to the donors in front of the gizbarim, to exonerate the gizabarim and the shlichim, from any suspicion of wrongdoing. The gemara adds, בני שקיבלו בני, אף על פי שקיבלו בני, מעיר לשלם, אין הקדש יוצא ללא שבועה. Even if the donors are willing to be forgiven the messengers from the oath, as this is a takanas chachamim, they must give the oath in any case.

10 אין נשבעין על ההקדש

רבי יוחנן: רבי שמעון סבור כדעת התקנה. Only like the opinion of רבי שמעון קדשים שהוא חייב באחריותו כנכסיו הם. Considered a possession of the donor.

רבי אלעזר: רבי שמעון סבור כדעת התקנה. Only like the opinion of רבי שמעון קדשים שהוא חייב באחריותו כנכסיו הם. Considered a possession of the donor.

Instituted so they won't take the שמירה lightly. The oath is warranted.

Proof: Why else swear to גזברים? The gemara adds: Even if the donors are willing to forgive it: אין הקדש יוצא ללא שבועה.

11 הפריש שקלו ואבד. The gemara discusses a case of someone who designated his ½ shekel and then lost it himself. The gemara brings 2 opinions.

רבי יוחנן אמר חייב באחריותו עד שימסרנו לגזבר. Rabbi Yochanan holds that one is liable for his own ½ shekel until he hands it over to the gizbar.

רבי שמעון בן לקיש אמר הקדש ברשות גבוה בכל מקום שהוא. Rabbi Shimon Ben Lakish says that once one separates the machtzis HaShekel, it immediately belongs to hekdedsh wherever it may be.

The gemara asks on Raish Lakish from our mishna, where one seems to be liable even if lost after separating it.

The gemara answers: לא עוד היא משום שבועת תקנה. Really by law, according to Raish Lakish, one is not required to bring another ½ shekel if he loses it. However just as the oath is a takana, so too the requirement of the mishna for the donors to bring a replacement is also a takana, in order that they should take greater care in ensuring that their ½ shekel reach the bais hamikdash safely.

11 הפריש שקלו ואבד

Someone who lost his own מחצית השקל

רבי יוחנן: חייב באחריותו. Liable until he hands it over.

רבי שמעון בן לקיש: הקדש ברשות גבוה. It's הקדש wherever it is.

But in the משנה the people are liable when it was lost on the road!

שבועת תקנה. Just as the oath is a תקנה.

The replacing is so they will take greater care.

12 The gemara had said that if the lost ½ shekel is found or returned, both shekalim are sent to the Bais Hamikdash.

The gemara here adds that: הראשונים לתקלין חדתין והשניים לתקלין עתיקין.

The first ½ shekel goes to the new shekalim and the second go to the other kupa for תקלין עתיקין, which are used for other purposes.

Which is considered the first?

Rabbi Pinchas Be(Ben) Rabbi Chiya and Rabbi Abba Mari disagree.

One says the first to be sent.

The other says the first to reach the gizbar.

12 נגנבו או אבדו → If they are found or returned → בית המקדש

הראשונים "The first" תקלין חדתין. First to be sent.

והשניים "The second" תקלין עתיקין. First to reach the gizbar.

ר פנחס ר אבא מרי. First to be sent.

13 The next mishna discusses laws of Meila, which is the איסור to derive any personal benefit from anything that is hekdedsh, for personal use, as it relates to the Machtzis HaShekel.

תנותן שקלו לחבירו לשקול על ידו ושקלו על ידי עצמו

One gave his friend his machtzis HaShekel to bring for him to the Beis HaMikash, and the friend instead used it for himself.

אם נתרמה התרומה

If the Terumas HaLishcha was taken already

מעל - The friend has transgressed the isur of benefiting from Hekdedsh

השוקל שקלו מן ההקדש

If someone mistakenly took a hekdedsh coin and used it for his personal machtzis hashekel,

אם נתרמה התרומה וקרבה הבהמה

If the lishcha has been drawn upon and at least one animal has been sacrificed from the funds of this lishcha

מעל The person has transgressed the isur of benefiting from Hekdedsh

ממעשר שני ודמי שביעית - יאכל כנגדן

If one mistakenly used money that was Kedushas Shviis or Maaser Sheni for his machtzis HaShekel, he must designate replacement funds for these monies.

מלך

מעילה
Benefit from הקדש

ממעשר שני ודמי שביעית
קדושה "food" Money with

Replace!

מון ההקדש
a קדוש coin

שקל לחבירו
His friend's שקל

אם נתרמה התרומה וקרבה הבהמה

אם נתרמה התרומה

מעל!

מעל!



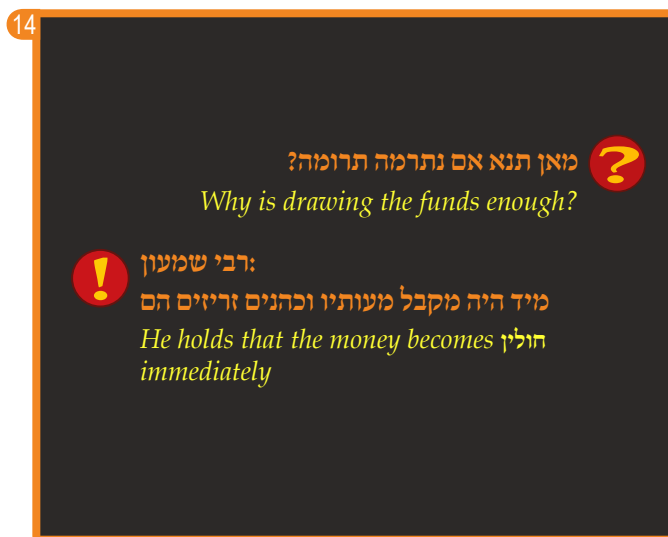
14 Which tanna would hold that it is enough that the Lishcha was drawn upon, even before a Korban was brought from these funds ?

רבי שמעון היא דאמר מיד היה מקבל מעותיו וכהנים זריזים הם

This would concur with Rabbi Shimon's opinion, who holds that Shekalim money become chulin as soon as the funds are drawn upon, as brought in a mishna further on in the 4th Perek

מאן תנא אם נתרמה תרומה?
Why is drawing the funds enough?

רבי שמעון
מיד היה מקבל מעותיו וכהנים זריזים הם
He holds that the money becomes חולין immediately



15 The gemara questions on the case of our mishna, how one can be מועל if he used his friend's 1/2 Shekel. Why, asks the gemara does it not remain in the possession of the original owner ?

The gemara answers that we are talking about a case of מסויים, where the coin had an identifying mark on the coin and the gizbar picked up the coin with the specific intention for the friend, and in this manner changed the designation of this specific coin.

משל בית רבן גמליאל שהיה מתכוון ודוחפו לתוך הקופה

Similar to the household of Rabban Gamliel, who would push specific coins into the Lishcha, for the gizbar to use their specific coins.

His friend's שקל
It should remain in the possession of the owner!

מסויים
An identifying mark

משל בית רבן גמליאל
The household of Rabban Gamliel

עצמיות השקל



16 The gemara asks
 מה נהנה
 What benefit does one get that he can be מעיל with the Machtzis HaShekel
 It cannot be for the performance of the mitzva, as
 מצוות לאו ליהנות נתנו
 Performing a mitzva is not considered הנהה
 אמר רבי אבין במ רבנן דהתם
 מכיון שבית דין ראוין למשכן ולא משכנו כמו שנהנה
 As one is will not be bothered by the collectors of the Beis Din, that is considered
 benefit.

16

מה נהנה ?
 What benefit does he get?

מצוות לאו ליהנות נתנו

רבי אבין
 שבית דין ראוין למשכן ולא משכנו
 He won't be bothered by collectors

17 Finally the gemara asks how one can be yotzay the mitzva of machtzis HaShekel
 with coins of Maaser Sheni, as we learned from בכור, the firstborn animal
 אך בכור אשר יבכר לה בבהמה לא יקדיש איש אותו
 And the gemara learns out
 כל שהוא קודש אין קדושה חלה עליו
 One cannot apply a new kedusha onto something already Kodesh.
 The gemara answers that one is mechalel the holiness of the masser sheni onto
 another coin, and in this manner the maaser sheni coin loses its holiness, and in this
 manner becomes holy again as Machtzis HaShekel

17

How can one give מחצית השקל with מעשר שני?

קדושת מחצית השקל

מעשר שני קדושה

קדושה

מעשר שני קדושה

בכור:
 לא יקדיש איש אותו
 כל שבוא קודש אין קדושה חלה עליו

