

Chullin – Simanim

פרק י – הזרוע והלחיים

דף קלד – 134 Daf

1. Does the Kohen collect the קיבה from the butcher or the buyer?

The Mishnah on Daf 132a taught that if one bought a cow's innards from a butcher by weight, he must give the קיבה to the Kohen, and may demand compensation from the butcher. This implies that the butcher himself has no responsibility to retrieve the קיבה for the Kohen. Rav says this only applies if the buyer weighed out his purchase, and the butcher never touched the קיבה. But if the butcher weighed out the purchase for him, the הדין עם הטבח – *the Kohen's claim is against the butcher* as well, and he can demand the קיבה from either of them. Rav Assi says that even in this case, the Kohen's claim is only against the buyer. The Gemara concludes that both Amoraim agree with Rav Chisda's ruling, that if one stole something, and another person came and ate the stolen goods, the victim may collect compensation from either one. Rav holds כהונת כהונה נגזלות – *Kohanim's gifts can be stolen*, making the butcher responsible for retrieving them, but Rav Assi holds it is impossible to steal כהונת כהונה, and only the buyer is responsible.

2. חלה, לקט, מתנות of ספק

The next Mishnah states that if someone converted to Judaism and owned a cow, then if it was *shechted* before he converted, he is exempt from מתנות, but if it was *shechted* afterwards, he is liable. If it is unknown whether it was *shechted* before or after, he is exempt. Rav Dimi reported that Reish Lakish asked Rebbe Yochanan that this apparently contradicts a Mishnah in which Rebbe Meir ruled that לקט לקט – *doubtful לקט is also considered לקט*, and provides a source: the *passuk* says "עני ורש הצדיקו" – *favor the poor and the impoverished*, teaching that regarding a *safek*, צדק משלך ותן לו – *favor him with what is yours and give it to him!*? Rava answers that in our Mishnah, פרה בחזקת פטורה קיימא – *the cow was in a state of presumed exemption* (since the owner was originally a gentile), and therefore remains exempt out of doubt. Grain owned by a Jew, in contrast, was בחזקת חיובא, so its ספק לקט remains obligated. Although a parallel ספק whether dough was mixed before or after conversion is obligated in חלה, despite its initial חזקה of exemption, Rava explained: ספק איסורא לחומרא – *a doubt pertaining to prohibition is ruled stringently*, but ספק ממונא לקולא – *a doubt pertaining to money is ruled leniently* for the owner.

3. What to do with מתנות of Kohanim or עניים when there are no Kohanim or עניים

Levi once planted grain, but there were no poor people to take his field's לקט. Rav Sheishess told him that the *passuk* says: "לעני ולגר תעזוב אותם" – *for the poor and the convert you shall leave them*, ולא לעורבים ולא לעטלפים – *not for the ravens and bats*. Therefore, if there are no עניים to take the לקט, the owner may keep it. The Gemara objects that a Baraisa which teaches that if one has *terumah*, but there is no Kohen available, he must rent a cow to transport it to storage, מפני הפסד תרומה – *because of possible loss of terumah*. The same should be required with לקט! The Gemara suggests that *terumah* is different, since produce is prohibited as טבל until *terumah* is separated. However, מתנות do not render the animal טבל before being separated, yet a Baraisa teaches that if there is no Kohen, מעלין אותן בדמים ואוכלן – *he assesses their value, sets aside the money, and eats them!*? The Gemara concludes that מתנות and *terumah* are different, because the *passuk* uses the term "נתינה" – *giving*, indicating that one must ensure that the Kohen eventually receives them.

Siman – Cloud

The **cloud** being used to deliver a cow's innards that the butcher had weighed himself which was being chased by a Kohen unsure if he should collect from the butcher or the buyer, blocked the view of the Beis Din from seeing if the cow belonging to the man they were converting was *shechted* before or after the *geirus*, while a second **cloud** settled over the field in which the owner was gathering up the לקט because there were no עניים in his town.



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3 things to remember

1. Can מתנות כהונה be "stolen"?
2. חלה, מתנות, לקט of ספק
3. What to do with מתנות of Kohanim or עניים when there are no Kohanim or עניים

