

Chullin – Simanim

פרק יב – שילוח הקן

דף קלט – Daf 139

1. Is *birds voided when they fly away to the wild?*

The Mishnah taught that birds which are *kodashim* are exempt from שילוח הקן, and the Gemara asks what case the Mishnah is discussing. If one was *makdish* a nest in his house, it is exempt even as *chullin*, since it is *prepared* – *מזומן*. If it was הפקר, he cannot be *makdish* it. Rav says the Mishnah's case is *where one who was makdish his dove's "produce" (i.e., young doves), and they deserted to the wild and nested elsewhere (thus, they were his when he was makdish them but are no longer מזומן after leaving)*. Shmuel says the case is במקדיש *where one was makdish his hen for Temple upkeep (i.e., קדושת דמים)*, and then it left and nested elsewhere. Rav holds that only the קדושת הגוף of young doves remains even when they leave, but regarding קדושת דמים *once it deserts, its kedushah is voided*, and it is obligated in שילוח הקן. Shmuel holds that even when the bird leaves, גזא דרחמנא איתא *wherever it is, it is in Hashem's treasury (i.e., it remains in the possession of hekdes)*, because the *passuk* says *לה' הארץ ומלואה* – *To Hashem's is the earth and its fullness*.

2. A nest at sea vs. a nest in the sky

A Baraisa *darshens* several *halachos* from the *pesukim* of שילוח הקן, including the following: the expression שלח *“you shall surely send away”* might lead one to think that יחזור בהרים וגבעות כדי שימצא קן *he should search in the mountains and hills to find a nest* to perform שילוח הקן; therefore, the *passuk* says *“כי יקרא”* – *should [a nest] chance, etc., meaning במאורע לפניך – it applies with [a nest] which occurs before you by chance*. *“קן”* – *a nest teaches the mitzvah applies מקום מכל – in any case, even if a nest contains only one chick or egg*. The Baraisa includes nests found in trees or pits. *“לפניך”* – *before you is eventually darshened ומרדו* *to include [birds] which were previously “before you” (i.e., yours) and subsequently deserted and nested elsewhere*. *“בדרך”* – *on the path teaches Rav's ruling: מצא קן בים חייב בשילוח – if one found a nest in the sea (e.g., on a tree which was swept out to sea), he is obligated in שילוח, because the Torah used “דרך” in reference to the sea*. However, *קן בשמים* – *a nest in the sky (e.g., carried by a bird) is exempt, because “דרך” is not used regarding the sky*.

3. משה מן התורה מנין (המן, אסתר, מרדכי)

The Pumbedisa asked Rav Masnah: מצא קן בראשו של אדם – *if one found a nest on a person's head*, is it considered a nest in the sky, and exempt? He replied that a *passuk* says: *ואדמה על ראשו – and earth was on his head*, using the term *“אדמה”* (“ground”) even while it is on someone's head. They asked: משה מן התורה מנין – *where is there an allusion to Moshe in the Torah before his birth?* He replied with the *passuk* *“בשגם הוא בשר”* – *inasmuch as he is mere flesh*. The word *“בשגם”* is the gematria of משה, and the *passuk* says *“his days will be one hundred and twenty years,”* matching Moshe's lifespan. They asked further: המן מן התורה מנין – *where is there an allusion to Haman in the Torah?* He replied with *“המן העץ”* – *have [you eaten] of the tree*, alluding to the word *“Haman.”* They asked: אסתר מן התורה מנין? He replied with *“ואנכי הסתר אסתיר”* – *and I shall surely conceal*, alluding to the word *“אסתר.”* They asked: מרדכי מן התורה מנין? He replied with *“מר דרור”* – *pure myrrh*, which Targum Onkelos renders *“מירא דביא”*, an allusion to מרדכי.

Siman – Blood Clot

The man who was being treated for a **blood clot** who **donated birds to בודק הבית** as a merit for his recovery and took a turn for the worse when **they flew away and would be chayav for שילוח הקן**, sent someone to **a nest in the sea to do שילוח הקן** so he may merit long life and **live to the one hundred and twenty years in the pasuk that hints משה's name before his birth**.

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Blood Clot



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3 things to remember

1. Is **קדושת דמים** of birds voided when they fly away to the wild?
2. A nest at sea vs. a nest in the sky
3. **משה מן התורה מנין**

