

Laws of Shekalim Chapter 3 (Auto Translated)

English

Auto Translated

Shiur Overview

Summary of Hilchos Shekalim, Chapter 3 — Rambam Overview of Chapter 3

Chapter 3 deals with specific laws regarding **giving** the machatzis hashekel. Three main topics: (1) laws of **kolbon** – the surcharge one pays when exchanging; (2) laws when shekalim are **lost** – who is obligated to give again; (3) what to do when one has **set aside** more money than necessary for machatzis hashekel, or from invalid sources.

Halacha 1 – The Law of Kolbon

a) The Basic Law of Kolbon

The Rambam's words: "Half-shekalim, everyone needs them... whoever gives goes to the money changer and combines a shekel into two halves... he gives him an addition on the shekel, and this addition is called kolbon."

Explanation: Because everyone needs machatzis hashekel in the month of Adar, the demand is great and it's difficult to find machatzis hashekel coins. People go to the shulchani (money changer) with a whole shekel, and he exchanges it for two half-shekalim. The price of exchanging costs extra – this surcharge is called **kolbon**. The giver must pay it, so that hekdesh should not have any loss.

Insights and Explanations:

1. **Comparison to modern times:** The situation is compared to erev Purim when banks run out of small change – so too in Beis HaMikdash times it was difficult to find machatzis hashekel coins.

2. **Why the giver pays, not hekdesh:** The fundamental principle is that we don't want hekdesh to bear any cost of the exchange. The shulchani needs to make a living, and the cost must be covered by the giver.

3. **Question from the earlier addition of the Chachamim:** We already learned earlier (in chapters 1-2) that the Chachamim added a bit to the machatzis hashekel – wouldn't that already cover the cost? **Answer:** That addition already became the new measure of machatzis hashekel itself, therefore one must still separately cover the exchange cost.

4. **[Digression: Practical moral lesson for tzedakah:]** When people complain that tzedakah collectors take a portion for their expenses (driver, credit card processing, etc.), one can learn from this kolbon that the giver must also cover the extra expenses, not just the main tzedakah.

5. **Two reasons for kolbon (from Rashi):** (a) to cover the cost of the shulchani; (b) **Rashi's reason** – a concern that the machatzis hashekel coin might not be full weight (slightly scratched off), and the kolbon covers the possible deficiency.

b) Two People Who Give Together One Shekel

The Rambam's words: "Two who gave a shekel – they are obligated in kolbon."

Explanation: Two people who give together one whole shekel (each one's portion is a machatzis hashekel) are also obligated in kolbon.

Insights and Explanations:

1. **Question – why kolbon when there's no need to exchange?** If two people bring together a whole shekel, there's no exchange cost – why are they obligated in kolbon? The Rambam writes "therefore" but it doesn't really fit as "therefore" from the previous reason.

2. **First answer – to avoid exploiting the system:** If we would permit two people to give together without kolbon, **everyone** would partner with a neighbor to save the kolbon. This would lead to a new problem – the whole shekel would also become hard to find.

3. **Second answer – kolbon is already a fixed law:** Once the Chachamim enacted the kolbon, it already became a general obligation on every giver, even when the practical reason isn't present.

4. **Question – one kolbon or two?** "Obligated in kolbon" – does it mean **one** kolbon for both together, or **two** kolbonos (one for each)? It remains subject to investigation, but "obligated" (plural language) implies that each one individually is obligated, which would mean two kolbonos.

c) Those Exempt from Kolbon

The Rambam's words: "Whoever is not obligated in shekalim, such as women and slaves – are exempt from kolbon."

Explanation: Whoever is not obligated in machatzis hashekel (women, slaves) but gives voluntarily, is exempt from kolbon.

Insights and Explanations:

1. **Explanation of the exemption:** A woman who takes upon herself the obligation must give a full machatzis hashekel. But the **kolbon** is a separate obligation that the Chachamim only placed on those who are **obligated** fundamentally. Since she is not obligated, and it doesn't cost hekdesh extra, she is exempt.

2. **This gives an explanation back to the previous halacha:** Once we see that the exemption is because one is **not obligated**, we understand why with **two obligated people** who give together one is obligated – because the obligation of kolbon rests on the **person**, not on the **transaction**.

d) A Man Who Gave a Shekel for His Wife / Kohanim

The Rambam's words: "One obligated and one exempt, and the obligated one gave for the exempt one, such as a man [for his wife] – exempt from

kolbon." "And so the Kohanim are exempt from kolbon." "One who gives shekalim on behalf of a Kohen – exempt from kolbon."

Explanation: When an obligated person gives a shekel for himself and for an exempt person (like his wife), he is exempt from kolbon. Kohanim, who held that they are not obligated, are also exempt. And whoever gives for a Kohen is also exempt.

Insights and Explanations:

1. **"Exempt from kolbon" – entirely or only from the second?** When a man gives a shekel for himself and his wife, is he exempt only from the wife's kolbon (but obligated for his own), or entirely exempt? The Rambam writes simply "exempt from kolbon" (not "exempt from the second kolbon"), which implies **entirely exempt**.

2. **Regarding "one who gives shekalim on behalf of a Kohen":** When someone gives a whole shekel for himself and for a Kohen, he has already given more than he needs (a whole shekel instead of a half), so the extra half already covers more than a kolbon.

e) One Who Gives a Shekel for a Pauper / Neighbor / Fellow Townsman

The Rambam's words: "One who gives a shekel for himself and for a pauper, or for his neighbor, or for his fellow townsman – if he gave as a gift, exempt from kolbon... but if he gave as a loan until they return it to him – obligated in kolbon."

Explanation: Whoever gives a shekel for himself and for a pauper (or neighbor/fellow townsman) **as a gift** – is exempt from kolbon, because he added more than necessary. But if he gave it **as a loan** (the pauper will repay him), he is obligated in kolbon.

Insights and Explanations:

1. **Reasoning for a gift:** When he gives as a gift, he has already added a whole machatzis hashekel extra – this is more than enough to cover the kolbon. "For he gave half a shekel and a gift in order to increase the shekalim."

2. **Reasoning for a loan:** With a loan he is essentially like two separate givers who give together – he will get back the money, so he hasn't given anything extra. Therefore he is obligated in kolbon like "two who gave a shekel."

3. **A bit of a novelty:** Even with a loan he is doing a favor – he helps the pauper fulfill the mitzvah when he doesn't have money. One might have thought we should exempt him from kolbon as a reward for his favor. Yet the Rambam says he is obligated.

Halacha 4-5 – Partners and Brothers in Partnership

a) Partners Who Give from Partnership Money

The Rambam's words: "When does this apply? With partners who gave from partnership money and it changed..."

Explanation: The Rambam distinguishes between two types of partnership: (a) two people who each put in their own money into a partnership – there each dollar is still identifiable as "his" and "his," and therefore it's like two people giving together (obligated in kolbon). (b) When the

money is truly partnership money – profits from the business, where the original investment is no longer there and this is new money that belongs to the "company" – there one is exempt from kolbon, because it's one entity giving.

Insights:

1. **The distinction:** With partnership money (profits) the dollar is no longer attributable to one partner – it's truly mixed money. But when each one only put in his thousand dollars and one takes from the fund, it's still "a dollar from him and a dollar from him."

2. **The Raavad disagrees:** The Raavad views partners as always like two external people, even when they take from partnership money. Therefore the Raavad's version reads "brothers in partnership," where there it's truly mixed money from inheritance, and only there is one exempt.

b) Brothers in Partnership Who Have Partially Divided

The Rambam's words: "Brothers in partnership who had animals and money, and divided the money – obligated in kolbon, even though they didn't divide the animals. But if they divided the animals and didn't divide the money – exempt from kolbon until they divide the money. And we don't say since they are standing to divide..."

Explanation: Brothers-partners who have animals and money together: if they already divided the money (but not the animals), they are obligated in kolbon – because regarding money they are already two external people. But if they only divided the animals but not the money – exempt from kolbon, because the money is still together.

Insights:

- We don't say "since they are standing to divide" – that because they already started the process of dividing (with animals), we should view it as already divided also regarding money. No – as long as the money is still actually together, it's still partnership money.

Halacha 6 – One Who Gives a Whole Shekel and Takes Back Change

The Rambam's words: "One who gives a shekel to hekdeshe so that it should count as the machatzis hashekel that he is obligated in, and takes a machatzis shekel from the collected money from the halves – obligated in two kolbonos."

Explanation: Someone who gives a whole shekel and asks back a half shekel as change, must pay two kolbonos: one for the half shekel he gives (because the shulchani needs to exchange it), and one for the half shekel he receives back (because hekdeshe/shulchani has an expense to give him change).

Insights:

- Both sides of the transaction – both what he buys a machatzis hashekel to give, and what he buys a machatzis hashekel that he takes for himself – each costs separately a kolbon.

The Measure of Kolbon

The Rambam's words: "How much is the measure of kolbon? At a time when it leaned from half to a shekel of two dinars, the kolbon was half a ma'ah which is one of twelve in a dinar. And they never gave kolbon less than this."

Explanation: When a machatzis hashekel was equal to two dinars, the kolbon was half a ma'ah (1/12 of a dinar). Never did one go less than this, but more — yes.

Insights:

- When the shekel became more expensive (as the Rambam learned earlier that a shekel can become up to four dinars), the kolbon grows proportionally. The kolbon is thus a percentage of the value, not a fixed sum (except for the minimum).

What to Do with the Kolbonos

The Rambam's words: "And the kolbonos are not like shekalim... the money changers place them aside by themselves until hekdesch needs them."

Explanation: The kolbonos don't go into the shekalim box. The money changers set them aside separately until hekdesch needs to use them.

Insights:

1. **Question:** Earlier it appeared that the kolbon went to pay the shulchani for his work (exchange costs). But here we see that the shulchani doesn't get it — it goes to hekdesch.

2. **Dispute in the Yerushalmi** what to do with the kolbonos:

- **R' Meir:** It goes into terumas halishka (but separately, not together with the shekalim).

- **R' Elazar:** One buys from it voluntary offerings when offerings are lacking.

- **R' Shimon ben Azzai:** From it they paid for the golden layers on the altar.

- **Ben Azzai** (other opinion): The money goes to the money changers to cover their expenses.

3. **R' Chaim Kanievsky** argues that the Rambam deliberately doesn't rule between the opinions, because perhaps it's not a dispute at all — it depends each year what is needed, one uses it for that. Money is money.

4. **Important point regarding sources:** Maseches Shekalim doesn't have a Bavli, only Yerushalmi. Therefore, unlike usually where the Rambam rules from the Bavli (Rif), the Rambam here ruled directly from the Yerushalmi.

Halacha 7 – Responsibility When Shekalim Are Lost

The Rambam's words: "One whose shekel was lost — he is responsible for it until he gives it to the treasurer."

Explanation: Until one hasn't given over the shekel to the gizbar (treasurer of hekdesch), the person himself bears the responsibility. Ones (unavoidable accident) doesn't help.

Insights:

- The agent is not a gizbar — he works for the people, not for hekdesch. Therefore, if the agent loses it, it's still the person's problem.

Halacha 8 – An Agent Who Loses the Shekalim

The Rambam's words: "Townspeople who sent their shekalim by the hand of an agent and they were stolen or lost — if he is a shomer chinam (unpaid guardian), he swears to them and is exempt like the law of all unpaid guardians... and if the townspeople said 'let it be upon us here' — we don't listen to them, for hekdesch doesn't go out without an oath."

Explanation: If the agent is a shomer chinam, he swears that it was stolen, and he is exempt. The townspeople must then give again. If they want to waive the oath (because they believe him and they need to pay anyway), we don't listen to them — because with hekdesch money there is an enactment of the Chachamim that one must always swear.

Insights:

- With a regular person one can waive an oath. But with hekdesch — "**hekdesch doesn't go out without an oath**" — it's a special enactment that hekdesch never believes without an oath, even when the parties (townspeople) want to waive it. The reason: there is a possibility that he took it, and hekdesch must be strict.

Halacha 9 – The First Shekalim Were Found

The Rambam's words: "The first shekalim were found — both these and those are shekalim, and they don't count for them for another year."

Explanation: If after swearing and after giving new shekalim, one finds the original ones — both are hekdesch. One cannot say that the second ones were given in error, and one cannot say "hold it for next year." Once one gave money for hekdesch, it is hekdesch.

Insights:

1. **Shomer sachar obligation:** A shomer sachar (paid guardian) is obligated for theft and loss, but not for ones. Therefore, when it was an ones (armed bandits), the agent is exempt from the laws of guardianship.

2. **Distinction between before terumah and after terumah:** If the ones occurred **after** the terumas halishka (after Rosh Chodesh Nissan) — the agent swears to the treasurers, and **the townspeople are exempt**. Why? Because the one who takes terumah takes for the future collection — offerings have already been brought on their account. The townspeople did the right thing — they paid for a shomer sachar, who is obligated for theft and loss. If an ones occurred (which is uncommon), they have no fault. If the ones occurred **before** the terumah — the agent swears to the townspeople, and **they must pay again**, because terumah hasn't yet been taken on their account.

3. **When bandits return:** Also the same law — both these and those are shekalim, one cannot use for next year. The second shekalim go for shekalim of the previous year.

4. **Dispute what is meant by "first shekalim" and "last shekalim":**

- **Some say:** "First shekalim" means the first shekalim that were originally given (because that is the main one).

- **Some say:** The opposite — "first shekalim" means the second shekalim that first arrived to the treasurers, because the first ones wouldn't have arrived.

Halacha 10 – An Agent Who Gives Shekalim for Himself
The Rambam's words: "One who gives half a shekel to his friend to give shekalim on his behalf, and he went and gave shekalim for himself" — the agent took the shekel and instead of giving it for the sender, he gave it for himself, so that they shouldn't take a pledge from him. **"If the terumah was taken — the one who gave shekalim committed me'ilah"** — the agent transgressed me'ilah.

Explanation: When the agent steals the shekel for himself, and the terumas halishka has already been taken, he is liable for me'ilah (principal and fifth and a me'ilah offering if done inadvertently).

Insights:

1. **Why me'ilah?** The shekel is already **in the possession of hekdes** because terumah has already been taken for future collection — the terumas halishka is taken for all shekalim that will still come. Therefore hekdes has already "spent" offerings on account of this shekel, even before it physically arrived.

2. **Great novelty — terumah makes it hekdes:** The agent didn't steal from hekdes directly — he stole from his friend. But since the terumas halishka already sanctified for future collection, the shekel is already hekdes money, and the thief is guilty of me'ilah in hekdes. **This is a novelty that the terumah makes hekdes even on money that hasn't yet physically arrived.**

3. **Discussion about when it becomes hekdes:** It was discussed whether the shekel becomes hekdes when the owner sets it aside, or when it comes to the treasurer (fell into the hand of the treasurer), or when the terumah is taken. The Rambam's position appears that **the terumah does something** — it's a special law that terumas halishka sanctifies even on what is standing to come.

4. **What is the "benefit" for me'ilah?** The very mitzvah of machatzis hashekel itself is a mitzvah, and **mitzvos were not given for benefit** — a mitzvah is not a benefit. But what the agent **saved himself from being pledged** — that they shouldn't take his valuable items — **that is a real benefit**, and that is the me'ilah. He had benefit from hekdes money through avoiding the pledge.

Halacha 10 (continued) – One Who Steals Machatzis Hashekel from His Friend

The Rambam's words: "And so one who steals from his friend his half shekel and gave it as shekalim — he fulfilled his obligation, and is obligated to pay the owners double (kefel), or to add a fifth."

Explanation: Someone who steals from his friend the machatzis hashekel and gives it himself as his machatzis hashekel — he fulfills the mitzvah, but he must pay back according to the law of a thief (kefel) or robber (principal and fifth).

Insights:

1. **Question of mitzvah haba'ah ba'aveirah:** Why is he yotzei? First, it's a mitzvah haba'ah ba'aveirah, as we learned by the laws of lulav that one is not yotzei with a stolen one. Second, it's not even his money! The verse says "I hate robbery with a burnt offering."

2. **Answer from commentators — mitzvos were not given for benefit:** Mitzvos were not given to have benefit, therefore it's not like a regular theft. But this doesn't help for the question of mitzvah haba'ah ba'aveirah, because that's a separate disqualification.

3. **Distinction between a direct offering and money:** "I hate robbery with a burnt offering" is only directly when one brings an olah, but when it's only money that one takes terumah for offerings, it's perhaps different. This is not fully clarified.

4. **Connection to the previous halacha (agent):** With an agent — when the shomer chinam is robbed, the sender must bring again. Here with the thief — the thief is yotzei, but the sender (the one robbed) must also bring again.

5. **Can two people be yotzei with one machatzis hashekel:** The conclusion is that only the thief is yotzei, and the one robbed must bring again.

6. **The thief is also guilty of me'ilah:** When the terumah has already been taken, the thief besides being a thief, is also guilty of me'ilah in hekdes — because the money already became hekdes through the terumas halishka. He has a double obligation.

Halacha 11 – One Who Gave from Hekdes

The Rambam's words: "One who gives machatzis hashekel from hekdes... and the terumah was taken — when it is used, he is liable for me'ilah."

Explanation: Someone who takes from hekdes money (that he already sanctified for an offering etc.) and gives it as machatzis hashekel — when the terumas halishka has already been taken, and offerings were bought from it (when it is used), he is liable for me'ilah.

Insights:

1. **Why does one need "when it is used" — isn't "the terumah was taken" enough?** As long as the money still lies in the chamber, even after terumah, it's not yet me'ilah because it hasn't yet been used. Only when one buys from it an offering — then it is taken away from the other hekdes, and then there is me'ilah.

Halacha 11 (continued) – One Who Gave from Ma'aser Sheni Money / Shevi'is / Ir Hanidachas

a) Ma'aser Sheni

The Rambam's words: "One who gave from ma'aser sheni money — he should eat its equivalent in Jerusalem."

Explanation: Whoever gives machatzis hashekel from ma'aser sheni money — he should eat its equivalent in Jerusalem (as if a redemption).

Insights:

- Unlike hekdes, where he is guilty of me'ilah, with ma'aser sheni one can fix it by taking another machatzis hashekel and eating its equivalent in Jerusalem — this is as if a redemption of ma'aser sheni.

b) Shevi'is

The Rambam's words: "And so from shevi'is produce..."

Explanation: With shevi'is money — also one eats its equivalent with the sanctity of shevi'is, it's not me'ilah.

Insights:

- The principle is that shevi'is **takes hold of its money** — when one sells shevi'is produce, the money receives the sanctity of shevi'is. Also here there is no me'ilah, only one must treat it with the sanctity of shevi'is.

c) Ir Hanidachas

The Rambam's words: "...from an ir hanidachas — he accomplished nothing."

Explanation: With an ir hanidachas he accomplished nothing — he must give machatzis hashekel again.

Insights:

- The principle: money from an ir hanidachas is **standing to be burned**, therefore we view it as already burned, and it has no measure of machatzis hashekel. Even though in practice hekdesch uses the money (it fell in and was nullified in the majority), nevertheless in law he didn't fulfill the mitzvah — because the mitzvah is that **you** should give from **your** money, and something that is standing to be burned is "nothing" — it's not your money.

Halacha 12 — One Who Set Aside in Error (Thought He Was Obligated and It Turned Out He Wasn't Obligated)

The Rambam's words: "One who set aside his shekel and thought he was obligated and it turned out he wasn't obligated — it didn't become sanctified. One who set aside two and thought he was obligated in two and it turned out he was only obligated in one: if one after the other — the last one is not sanctified. If at once — it falls to nedavah (leftover shekalim)."

Explanation: Whoever thinks he is obligated in machatzis hashekel (for example he forgot that he already gave, or he doesn't know that he is exempt) and it turns out he is not obligated — it didn't become sanctified, because sanctifying in error is void. With one who set aside two: if one after the other — the first goes for his obligation, the second is not sanctified (sanctifying in error). If at once — since we can't determine which is the "correct" one, the first goes for shekalim and the second (out of doubt) goes into the law of **leftover shekalim** (nedavah).

Insights:

- The **Raavad disagrees** with the Rambam regarding at once — he says "one is chullin." It's not clear what the Raavad's reasoning is — perhaps he holds we can't say bereirah, or perhaps to be exact, but it remains unclear.

One Who Set Aside His Shekel and Died

The Rambam's words: "One who set aside his shekel and died (before it came to the treasury) — it falls to nedavah."

Explanation: If someone set aside his shekel and died before it came to the treasurers — a dead person is exempt from mitzvos, also from offerings on his money. The money doesn't go back to the heirs, but falls to nedavah.

Insights:

1. **Distinction before/after treasurers: Before it comes to the treasurers** — the person is still an individual, and

when he dies he is exempt. **After it comes to the treasurers** — it's already part of the community, and **the community doesn't die** — the community lives forever, therefore it's no problem. This explains why simply when people die every year we still bring offerings from their money — because it's already community money.

2. **Nedavah** means here: olah offerings that one brings when the altar is empty (**kayitz hamizbe'ach**) — extra olahs from nedavah money.

Halacha 13 — One Who Collected Money for His Shekel

The Rambam's words: "One who took money in his hand and said 'these are for my shekel', or he started to collect and said 'I am collecting money for my shekel' — even if he collected a full pouch, he gives with them the half shekel that he is obligated, and the rest is chullin, for leftover shekalim is chullin."

Explanation: When a person collects small change bit by bit for his machatzis hashekel, and he collected more than a half shekel — only the half shekel goes for hekdesch, the rest remains chullin.

Insights:

- This is similar to the previous law of sanctifying in error — the person didn't know exactly when he had enough, and put in too much. The excess is an error-sanctification.

- **The fundamental distinction between leftover shekalim and leftover chatas:** With chatas, if one set aside \$20 and the offering costs \$19, one cannot use the dollar for chullin — because the person doesn't know what an offering costs in Jerusalem, it's a **thing that has no fixed measure**. But machatzis hashekel is a **thing that has a fixed measure** — a fixed amount. Therefore the excess is not sanctified — it's a simple error in calculation, and sanctifying in error is void.

Halacha Regarding Money Found Between Box and Box

The Rambam's words: "Money found between the shekalim box and the nedavah box — close to shekalim falls to shekalim, close to nedavah falls to nedavah, half and half falls to nedavah. And so between any box and box — we follow the closer, and if half and half — stringently."

Explanation: Money that one finds between two boxes — we follow what is closer. In case of equal doubt we go stringently — to the higher sanctity.

Insights:

1. **Why nedavah is more stringent than shekalim:** Nedavah goes for **olahs** which are **entirely for the fires** — completely burned for the Most High, no Kohen has benefit from it. Shekalim however also go for **communal peace offerings** and other offerings that **Kohanim eat from**. Therefore: **nedavah includes shekalim, but shekalim doesn't include nedavah** — nedavah is a higher level of sanctity.

2. **Where are we talking about?** This speaks of the **thirteen shofars in the Beis HaMikdash**, not from the town table. At the town table there are only two boxes (shekalim for this year and shekalim for last year), no nedavah

box. But in the Beis HaMikdash there are thirteen boxes for different purposes.

3. Example of between wood and frankincense: If money lies between the box for the wood offering and the box for frankincense — it falls to frankincense, because **frankincense is itself an offering** (one places it on the showbread, mincha, ketores), but **wood is not itself an offering** — it only serves to burn the meat. Therefore frankincense is more stringent.

4. A point about machatzis hashekel and nedavah: Machatzis hashekel doesn't contradict nedavah — sometimes machatzis hashekel also goes for nedavah (leftover shekalim), therefore nedavah is not against shekalim.

Money Found on Har HaBayis — Their Status is Chullin

The Rambam's words: "And all money found on Har HaBayis — is chullin, for the treasurer doesn't take out money from terumas halishka until he redeems them on the animal."

Explanation: Money that one finds on Har HaBayis has a status of chullin. The reason is because the treasurer doesn't take out sanctified money from terumas halishka to Har HaBayis — he redeems (transfers) the sanctity of the money onto the animals **before** he comes to Har HaBayis. Therefore one cannot be concerned that the found money is hekdes that fell from the treasurer's hands.

Insights:

1. The mechanism of redemption according to the Rambam: The treasurer stands at the door of the chamber and makes a deal with the animal merchants — he redeems the money onto the animals **before he goes out**. At the moment he leaves the chamber, the money already goes out to chullin, and the sanctity is already on the animals. The reason for this is because the treasurer is afraid that sanctified money will be lost on the way, which would create a problem of me'ilah, therefore he makes sure that no sanctified money should circulate on Har HaBayis.

2. Tosafos's different reason — and the question on it: Tosafos gives a separate reason why money found on Har

HaBayis is chullin: we say that the money probably fell from one of the people who circulate on Har HaBayis, and **most** people carry chullin money. On this it is asked: on Har HaBayis there also circ

ulated **animal merchants** who sold offerings, and **they** certainly held money (either hekdes or chullin). Also, Jews who came to buy offerings must have brought money with them. So the "majority" is not so simple.

3. The matter of "one shouldn't enter Har HaBayis with money": The law from the Mishnah in Berachos is mentioned that one doesn't go into Har HaBayis "with his staff and his shoes and his money pouch and the dust on his feet" — but this doesn't mean that one may not have money in one's pocket at all. This means in a **mundane manner** — one shouldn't enter with a large package or a money belt in a worldly way. But money that one needs to buy offerings was certainly permitted to bring.

4. Proof from the Mishnah in Shekalim — animal merchants on Har HaBayis: A Mishnah in Shekalim is cited: **"What is found before animal merchants — ma'aser, and on Har HaBayis — chullin."** This shows that there **were indeed animal merchants** on Har HaBayis (or at least nearby). This is relevant to the previous question on Tosafos — if merchants circulated there, the "majority chullin" is not so simple. **But according to the Rambam's reason** (that the treasurer redeems beforehand) **it fits very well** — because according to the Rambam one doesn't need to follow the majority at all; the law is simply that no hekdes money can be on Har HaBayis, because the treasurer already redeemed it earlier.

5. Two possible readings in the Mishnah: It remains doubtful whether "before animal merchants" and "on Har HaBayis" are **two separate categories** (ma'aser by merchants, chullin on Har HaBayis), or whether animal merchants were actually **on Har HaBayis itself**. This remains a point that needs further clarification.

With this, Chapter 3 of Hilchos Shekalim is concluded.

Full Transcript

Laws of Shekalim Chapter 3 – Kolbon and Detailed Laws of Giving the Half-Shekel

Overview of Chapter 3

Three, we are learning the holy Rambam, the holy Torah, Laws of Shekalim, Chapter 3. Okay, we are going to continue learning. We have already learned the essential mitzvah, that was in the first chapter, and also what a shekel is. In the second chapter we learned the order of how it is collected, and what is done with the money, and how one separates terumah for the Beit HaMikdash, meaning how the gabbai takes it down.

Here we are going to learn additional detailed laws of when one gives, various detailed laws of giving the half-shekel. Two detailed laws that I know of, one is, or perhaps there are more. One, when one gives there is some law called a kalbon or a kolbon, the Rambam calls it kolbon, I don't know the exact

word. But anyway, afterwards there are a few types, if one gives it for two people or partners, what are the laws of kolbon. And afterwards there is a whole bunch of laws if the shekalim are lost, who is obligated to give again. And afterwards there is what happens when a person had set aside money for the half-shekel and he was left with extra money. That is approximately two or three topics in this chapter.

Law 1 – The Law of Kolbon

The Foundation of Kolbon

The Rambam says, Law 1: **"Half-shekalim, everyone needs them"**. Everyone needs the half-shekel. So when the month of Adar comes there is a huge demand for half-shekalim, the bank becomes empty. Just as the bank becomes empty before Purim, the banks become empty, all the fives and twos and twenties are no longer available in the bank. So in the time when the Beit HaMikdash existed it was hard to find half-shekalim. Therefore, so the gabbaim, the money changers

who sat and exchanged for people, people could come bring larger shekalim, and he would give them back a bunch of half-shekalim, and you would give back a half-shekel for the terumat half-shekel.

So because there is such a need, **"everyone needs them so that each and every one can give the half-shekel that he is obligated in"**, because everyone wants it at that time in order to be able to give, **"therefore"** the price of the half-shekel went up, and therefore, **"anyone who gives goes to the money changer"**, when a person went to the money changer, the exchanger, the banker, to whom he went to give the half-shekel, **"and exchanges a shekel for two halves"**, and he gives him a shekel and he gets back change of a half-shekel, two. He gets back half change, or he gets back two, he needs to give him two and he should give him... because why does one need to give so much? So since now the shekel is worth more, the money changer had to now obtain half-shekalim, he had to pay, **he gives him an addition on the shekel**, he should give, he gives an extra addition, he gives more in addition to what the half-shekel is.

What does it say, **the addition is called kalbon**. The addition is a small coin called a kalbon, to cover the extra cost of exchanging, so that the cost should not come from hekdesch. Because one could think that the money changer will afterwards take down what it cost him, but we don't want hekdesch to have any loss. So they added a kalbon that people must give.

Question: The Addition of the Sages

It's interesting, because we learned earlier that the Sages had already added a bit, so actually perhaps the addition of the Sages would already perhaps cover that. But that already became the new law of the half-shekel. If one wants to cover it, one must cover it from one's own money.

Digression: Practical Moral Lesson for Charity

But from here one can perhaps see a law, that I know, many times people have complaints that beggars come for charity, and part of the money goes for their driver. Perhaps on the contrary, you should additionally pay to cover their driver. You gave money for charity? Cover the extra expenses. Okay, I hear. It also costs credit card processing. I mean to say that that's life. That is the Rambam.

Two Who Give a Shekel – Two People Who Give Together

Therefore, regarding this, once we understand that the obligation of kolbon is a practical obligation that comes because it costs to exchange, **therefore, two who gave a shekel for both**, if two people together come and give a whole shekel, don't they need to give two kolbonot? **They are obligated in kolbon**. There was one kolbon, as I understand it. It seems to be so, that if one gives a half-shekel, okay, you need to obtain a half-shekel, pay for it. What if two people give to make a partnership? One doesn't need to exchange, but they are still obligated in kolbon. Yes, it's not clear why, it's not a "therefore". "Therefore" is yet another law. And why?

Discussion: Why Are Two People Obligated in Kolbon?

The answer is, because he says that... Yes, I need now, we will soon see more details about this. Not clear. It could be the reason is because if not, everyone would join together with his neighbor and save a shekel. Then the shekel would become hard to find. The same thing would happen with the shekel

that one thought to find. Okay, I will charge then for the shekel. What is the... It's interesting.

And therefore, once the Sages already made the law of kolbon, it already remained something that already remained such a common thing, it already remained such a law. Not clear. Ah, in short, it's a law on each and every one, every Jew. But does he need to give one kolbon or two? One, well. Seemingly one, because it doesn't cost here the extra. Or perhaps not? **Obligated in kolbon**, each one of them is obligated with an extra kolbon. It could be that **obligated in kolbon**, each one of them is obligated in kolbon. Because once the law of kolbon was made, each one already received the law. I don't know. He doesn't say. Not yet.

It could be the point is that it's not l'chatchila that two people bring together a shekel, rather the l'chatchila is that each should bring alone a half. Therefore one doesn't want him to benefit from the trick that he made, from what he outsmarted the system. Okay. Anyway, further.

Deepening in the Topic of Kolbon

Something I need to understand the topic of the kolbon. There is the foundation. I saw, there is what they learn that the money changer himself needs to make some money. It's not just the... because... it starts with the concerns. Therefore, he makes the kolbonot, he makes it so that the money changer's cost should be covered by the end user, by the givers, not by hekdesch. Meaning, they made it that even when there isn't the practical cost of... it basically already became like a thing, that one must pay a half-shekel plus a kolbon, so it comes out rabbinically or with the... Not clear.

He brings a good explanation, he brings from Rashi one thing why one gives a kolbon, because of a concern perhaps the half-shekel is not full weight, it's missing a bit. You know, sometimes there is a coin that is a bit scratched off, in order to... it's such a safeguard so as not to stumble and give less. One gives the kolbon in addition, or to cover the cost of the money changer. Okay.

Law 1 (Continued) – Those Exempt from Kolbon

Women and Slaves

The law continues to say, **"Anyone who is not obligated in shekalim"**, we learned earlier that there are those who are not obligated in shekalim, but if they give it is a good thing, **"such as women and slaves"**, so since... no, if it's not a shekel, if it didn't actually cost them to exchange, and we are exempt, and it didn't cost, then **"they are exempt from the kolbon"**.

It means like this: Once a woman takes upon herself the obligation, she must give a full half-shekel. So if it costs money to exchange, you must also cover the cost. But if there are two things, one you are not obligated, and two, and then it doesn't cost hekdesch to exchange, then you are exempt from the kolbon. This also gives the explanation for the previous law, that once you are indeed obligated they already made the obligation for each one.

A Man Who Gave for His Wife

"And so if there was one obligated and one exempt, and the obligated one gave for the exempt one, such as a man", a man gave a shekel for himself and for his wife, then **"he is exempt from the kolbon"**, because from his wife's portion he is not obligated. So what is enough that he

gives only a kolbon for his side, for his half? That's how I would learn it, exempt from the extra kolbon.

Kohanim

"**And so the Kohanim**", we learned earlier that regarding the Kohanim one is more lenient because the Kohanim held that they are not obligated in the half-shekel, **"they are exempt from the kolbon"**, they are exempt from the addition. The same thing **"one who gives a shekel on behalf of the Kohen"**, one who gives instead of the Kohen, one who gives to make the Kohen meritorious, **"is exempt from the kolbon"**.

Discussion: Completely Exempt or Only from the Second?

Perhaps the point is different. You are giving a whole shekel anyway. You are giving for one who is exempt. If that one is exempt, look, for me I need to give a half-shekel. I gave you not just a kolbon, but a whole one. Okay, and I'm already saying that it's for a second one also, but... then one is not obligated in a kolbon also not for one's own half. But then it says that for the wife you don't give a full half-shekel. If it was with a half-shekel, it must be a full half-shekel. It doesn't say exempt from the second kolbon. It seems that it's completely exempt.

But it turns further. The **"two who gave a shekel for two are obligated in kolbon"**, there are those who learned "obligated", each one of them is obligated in kolbon. They had to give a total of two more kolbonot. So according to that explanation, here it will be "obligated in kolbon", meaning they are only obligated in one kolbon. And what I know, perhaps nowadays. It depends on how one learns the previous and the current one. If it says one is one, but I can't ask. But "obligated in kolbon" means they are both obligated, because the kolbon is not "obligated in kolbon". "Obligated in kolbon". But "obligated in kolbon". Okay.

Law 1 (Continued) – One Who Gives a Shekel for a Poor Person

The Rambam continues to say, **one who gives a shekel for a poor person**. They learned earlier that a poor person must also give, and it already pained us then, poor thing, one makes him take off his shirt. Now we know that wealthy Jews gave for themselves and for the poor. **or for his neighbor, or for his fellow townsman**, he gives for another Jew. So, we don't take a gift for free, if he gives for the poor person just like that, as a gift instead of the poor person, **exempt from the kolbon, for he gave a half-shekel and a gift in order to increase the shekalim**, he will already add. Like your explanation, very good.

But if he gave them the half-shekel through them as a loan until they return it to him when they have the means, but if he gives it only as a loan, not as a loan. Ah, that is indeed implied by borrowing. Ah, then he is indeed obligated in kolbon, because he is not giving extra. He will take the kolbon also from the loan. Yes, fine, but the point is that you are not now giving extra for the hekdesch, you are giving a loan to your friend. Okay. You are actually like two people, who give one who are obligated?

There is still a bit of a novelty, because one could have thought, he is doing a favor here, he is helping so that the poor person can give when he doesn't have money. But still... but still... but it's interest. Interest is already a discussion in itself,

I'm even talking... the poor person doesn't give up the kolbon. Yes, okay.

Law 1 (Continued) – Brothers Who Haven't Divided / Partners

The Rambam continues like this, such a law, **brothers who have not yet divided what they inherited from their father**. There is what we learned earlier by etrog, partnership in the house. Money still lies in the safe, and they haven't yet divided it, and they take a shekel from the... from the money that lies in the inheritance money, or like partners, partners who have a safe or company money, money that has not yet been divided between the two partners.

Law 4 (Continued) – Partners Who Give from Partnership Money

Speaker 1:

But this is different from two people, because earlier we spoke about two partners who stood as partners in what? Two people give in partnership. Here we speak when the money is in partnership, they give the money from the partnership money. But he says, **when does this apply? With partners who gave from the partnership money, and the appearance of the money changed**. It's not the money... I'm not clear.

Speaker 2:

And what is the difference?

Speaker 1:

Yes. They are partners only on money, they don't have anything, each one still has his dollar.

Speaker 2:

Yes, when two partners, each put in a thousand dollars into the business, and now there are two thousand, that is still, he takes from that safe, he still takes a dollar from him and a dollar from him. But we speak here when it's money that belongs to the company, because this is revenue that both made together, and their investment, their investment is no longer there, and now there are the profits that they made from the business, meaning their extra money. Abraham, Avi, this is additional, this is additional, mixed together, if they both brought extra money it is mixed. If they have no details and no expenses, then it means the same dollar that he puts there. So yes, they should be obligated in kolbon, as we learned earlier when two people bring together. They are not true partners still.

The Raavad's Dispute on Partners

Speaker 1:

The Raavad sees, go up a bit earlier. Earlier already, the Raavad argues about the partners. He doesn't see why partners should be exempt. The Raavad looks at partners as meaning always like two separate ones, even if they took from the partnership money. Therefore he reads "the brothers the partners", which then is completely mixed money, yes.

Law 5 – Brother Partners Who Have Partially Divided

Speaker 1:

Okay, the Rambam continues, Law 5: **The brother partners who had an animal and money**, brothers or partners who had together an animal, they were partners with an animal, and they were together partners in money, **and they divided the money**, they divided the money, and now they bring one

shekel, but the one shekel is for both of them, and the money is actually already divided, **they are obligated in kolbon**, they are obligated in kolbon, **even though they did not divide the animal**, even if they are still partners with the animal. Because in practice regarding the money they are already separate, meaning it's like two people giving together a shekel, which then one is indeed obligated in kolbon.

But if they divided the animal and did not divide the money, they are exempt from the kolbon until they divide the money. And we don't say since they are standing to divide, we don't say that since they have already started to divide, and by the animals they have already gone through and already divided, it is only lacking an action, but we look at it as if they have already divided. No, they are still completely together.

Law 6 – One Who Gives a Whole Shekel and Takes Back Change

Speaker 1:

The Rambam continues like this: **One who gives a shekel to hekdeshe so that it should be counted for him as the half-shekel that he is obligated in, and takes a half-shekel from the collected money from the halves**, one gives a shekel to hekdeshe, he gives a whole shekel and he takes back change, he gives a shekel and he asks back change of a half-shekel, **he is obligated in two kolbonot**, then he needs two kolbonot: one kolbon to cover the half-shekel that he gives, and one kolbon to cover for the half-shekel that he gets back. Because each shekel costs money for the money changer or for hekdeshe to exchange, because you make the shekel is now, as we discussed, an expensive thing, it costs money. So it costs here money for hekdeshe to give him back in change. So one must give him once because the money changer exchanges it for him for a half-shekel, and once because he gets back a half-shekel.

Discussion: Why Two Kolbonot?

Speaker 2:

Yes, because the whole shekel was not for shekalim. As you say, everyone gives a shekel.

Speaker 1:

Ah, giving a shekel, a half-shekel costs first of all, he needs to buy the half-shekel and give it. Now he wants to buy another half-shekel that he takes for himself. Both sides he buys, if both he must pay for the change that he gives and for the change that remains with him.

Speaker 2:

What does a kolbon mean?

Speaker 1:

Ah, how much is the kolbon? For the kolbon is not a coin. Kolbon is the name for some sort of thing.

The Amount of the Kolbon

Speaker 1:

The Rambam says, **how much is the amount of the kolbon? At the time when one would give for a half to a shekel two dinars, the kolbon was half a ma'ah which is one of twelve in a dinar**. A small coin. **And they never gave a kolbon less than this**. But one never goes less than this. It's less than one and four and twenty, yes? It can sometimes be more than this.

Speaker 2:

So what is like 7% on something?

Speaker 1:

It can be more than the... more it can indeed be, yes.

Speaker 2:

But it depends on the rate of how much the change costs?

Translation

Speaker 1:

No, it changes because sometimes it was larger. That is, if the shekel became worth more than two dinar, as we learned earlier that the shekel can become worth like four dinar, then the kolbon must become twice as much. According to the exchange rates.

What is Done with the Kolbonot

Speaker 1:

So. **Vehakalbonot**, says the Rambam, **vehakalbonot einok'shekalim**. The kolbonot don't go into the boxes of the shekalim, into the collection box. **Manihin otam hashulchanim bifnei atzman**. The money changers put it aside, **ad shetitztar'chu min hahekdeshe**, until it will be needed for the hekdeshe.

Discussion: What is Done with the Kolbonot?

Speaker 2:

And what is it used for?

Speaker 1:

Ah, there's a dispute about... There are many opinions about what the kolbonot are used for. It's also interesting, because earlier it seemed that it was used for the exchange.

Speaker 2:

What does the money changer mean...

Speaker 1:

No, he doesn't pocket it himself, the money changer. That's how it appears here. And the money changer doesn't get paid for his work. Later we'll see who gets paid.

Speaker 2:

Maybe he gets paid separately. I don't know. A problem could be that he gets a payment. It's not that he gets a payment according to how many shekalim he brought.

Speaker 1:

So in the Yerushalmi, in tractate Shekalim there is no Bavli, there's only Yerushalmi. About this, by the way, there's no Rif. The Rambam here, unlike usually where the Rambam based his book a lot on the Rif, the Rambam here ruled directly from the Yerushalmi.

In any case, he brings here below many opinions about what "profited from the hekdeshe" means, what the hekdeshe does with the kolbonot. Rabbi Meir says that in the end it went into the terumas halishka. But separately, yes, because it says that it wasn't put in together. Rabbi Elazar says that they made voluntary offerings with it when there were few offerings. Rabbi Shimon ben Azzai says that they made from it - it says in the halacha that they covered the altar with the kodshei kodashim with layers of gold. Ah, and ben Azzai says the thing that the money went for the money changers to cover their expenses.

In short, there are several approaches, and it's not clear. He says that Rabbi Chaim Kanievsky claims that the Rambam doesn't rule, because perhaps there's no dispute, perhaps it changes that a year when more is needed for this, it's used for this. It's not that there's such a law that it must be given for one of these things. It's all money. Everyone knows that money, there's no difference which money, all money is the same, right? If money is earned here, it goes there. There's nothing specific about what's used for what really.

Halacha 7-8 — Responsibility for the Shekalim: Who Bears Responsibility When Shekalim are Lost

Speaker 1:

So, the Rambam says like this, here begins a question, that such a large operation is happening that money is being brought from everywhere to Jerusalem, so things also happen that the money gets lost. When is a person obligated to give again a machatzis hashekel? And when is it the treasurer's problem?

The Rambam says like this, **mi she'avad shkalo**, a person who... he held at home a collection box to collect for machatzis hashekel, **chayav ba'acharayuso ad sheyimsrenu lagizbar**. Until he hasn't handed it over to the treasurers of the hekdesch, to the money changers, he's responsible. We don't say that it was an unavoidable accident. An unavoidable accident doesn't help for this.

But what happens in such a case? The shekel was already given to the messenger to send to Jerusalem. **Bnei ha'ir sheshalchu shikleihem beyad shaliach**, they sent a messenger with money to bring to the Beis Hamikdash, to the chamber, **venignvu o avdu**, on the way the money was stolen or lost. It turns out like this: **im shomer chinam hu**, a shomer chinam is exempt from theft and loss, **harei zeh nishba lahem**, he must swear to the townspeople that it was an unavoidable accident, that it was theft or loss, **veniftar**, and he is exempt, **kedin kol shomrei chinam**. And since he's exempt, they unfortunately must give again, because it hasn't yet reached the treasurer. The messenger is not a treasurer, that's the point.

Speaker 2:

Ah, messenger. The messenger is only a messenger for the people. He works for them.

Speaker 1:

Yes, if not he wouldn't be exempt. **Vehem chozrin venosnin shekalim pa'am sheniya**, again.

Enactment of the Sages: Hekdesch Doesn't Go Out Without an Oath

Speaker 1:

Ve'im amru anshei ha'ir... What happens if the townspeople, they don't gain anything from his oath, because he has to give anyway. So if the townspeople, there's a fear of an oath, that an oath is not something one seeks to do. So the townspeople say, we're going to pay anyway, we don't want him to have to swear. Generally, a person can forgive the other person the oath, but here we're talking about the oath for hekdesch, to make sure that he wasn't me'il with hekdesch. So if they say **hevi anenu sham**, we're going to pay anyway, we don't want him to have to swear. We believe him. **Ein shom'in lahem**. They don't believe him. Why? **Takanas chachamim hi she'ein hekdesch yotzei belo shevua**. When it comes to hekdesch money, there is indeed a possibility

that he took it, they do believe him, but there's a law that hekdesch never believes. Hekdesch must always be very strict about this, **ve'ein hekdesch yotzei belo shevua** he must swear anyway.

The First Shekalim Were Found

Speaker 1:

What happens in such a case? **Nimtze'u hashekalim harishonim**, after he already swore, and they already gave new money. We found the original shekalim, it's no longer with a messenger. What happens? **Elu va'elu shekalim**. We don't say that the second shekalim they gave in error. Once they gave it for hekdesch they already gave it. **Ve'ein olin lahem leshana acheres**. Not that they can say hold it for next year, it doesn't work. **Ve'ein olin lahem leshana acheres**. Rather? **Barishonim**, it's the new one, the new money,

Halacha 9 (Continued) – A Messenger from Whom the Shekalim Were Stolen

The first shekalim were found, after he already swore and they already gave new money, we found the original shekalim, not with the messenger. What happens? So, **elu va'elu shekalim**, we don't say that the second shekalim they gave in error. No? Once they gave it for hekdesch they already gave it. **Ve'ein olin lahem leshana acheres**. Not that they can say, hold it for next year, it doesn't work. **Ve'ein olin lahem leshana acheres**. Rather? The new money is shekalim. And the money that was found, that was lost that was found, **veharishonim yiplu leshikle hashana**. The acharonim means the old ones? Not clear. One would see, ah, the Rambam doesn't know what shekalim rishonim means. **Veha'acharonim yiplu leshikle hashana she'avra**. Anyway, one of them goes for today, one goes for last year. Next year one can't, but last year we learned that one can pay for last year if one didn't pay.

The Difference Between Shomer Sachar and Shomer Chinam

What if he's a paid guardian? What happens if he's a paid guardian who is indeed liable for theft and loss? **Shalchu es shikleihem beyad shomer sachar, sheharei hu chayav bigeneva va'aveida**. **Ve'avdu mimenu be'ones**, but it's still, when it's an unavoidable accident he is indeed exempt, **kegon shelakchum listim mezuyanin shehu patur**, so it is, **ro'in**.

If **after shenirma hateruma — nishba hashaliach lagizborin, uvnei ha'ir peturim**. Why? Why? **Shehatorem**, the one who is torem there in the Beis Hamikdash, the one who takes down from the money that lies in the chamber, terumos we learned earlier that he is torem for the... he takes down the money for the offerings, **so torem al hagavuy ve'al he'asid ligavos**, so it's simple that they've essentially already taken offerings on account of the money that lies with the messenger. **Uvirshus hekdesch hen, uvnei ha'ir ma haya lahem la'asos?** The townspeople are exempt because **harei lo mesarum ela leshomer sachar shehu chayav bigeneva va'aveida, aval ha'ones eino matzuy**.

It means like this: When it's given to a shomer chinam, it means the townspeople saved money, and in such a case they took the risk, they must hand over the money again. But the people here did the right thing, they paid extra money for a guardian. And the guardian, if it had been theft or loss which

happens, he would have been liable, and they were safe. But what then, this time something happened that happens rarely, an unavoidable accident. Always something unavoidable and not common, they did the right thing, and in practice they already did teruma on their account, offerings were already given on account of al hagavuy, so they're exempt, but they need to make an oath.

But when **avdu kodem shenirma hateruma**, still before Rosh Chodesh Nisan, it's **adayin birshus bnei ha'ir**, no offerings have yet been taken down for them. Then what, **hashaliach nishba le'anshei ha'ir, vehem meshalmin**, they must pay again the machatzis hashekel.

When Bandits Return the Money

What happens in such a case again? **Nishba vegavu shekalim shnit**, they gave again a machatzis hashekel, **ve'achar kach hechzirim halistim**, and afterwards the bandits came and returned the money. It's also the same law, **elu va'elu shekalim, ve'ein olin lahem leshana acheres**, it can't be used for next year. It appears the law is that one must give every year, one can't give for the next year, one can give for the previous year that one still owes, but one can't give for next year. **Vehashnayim yiylu leshikle hashana she'avra**, for the box where the shekalim of the previous year are placed, and in the later chapter we'll learn what is done with the box of the shekalim of the previous year.

Dispute in the Interpretation of "First Shekalim" and "Last Shekalim"

He says, the Rambam, what does the first shekalim and last shekalim mean? He says, **yesh mi she'omer shehashkalim harishonim sheyiylu leshikle hashana hen shekalim shenigvu batchila**. What was originally given, and the others are second. Their reasoning is that this is the main thing, this is what they gave the first time. **Yesh mi she'omer** exactly the opposite, **shekalim harishonim is hashekalim shehigi'u leyad hagizbar techila** means the second shekalim, which they now separated, because the earlier ones would have arrived.

Halacha 10 — One Who Gives Machatzis Hashekel to His Friend and Paid on His Own

Hanosen chatzi shekel lachavero, one gives for his friend, he should be his messenger, **leholicho leshulchani** to the treasurers, the half machatzis hashekel, **lishkol oso al yado bishmo** to give instead of him. **Vehalach**, the person went **veshkalo al yedei atzmo**, he gave it for himself. Why? Why did he do it **kedei shelo yimashkenuhu oso? Kedei...** We learned earlier that one is forced for machatzis hashekel, a pledge is taken, valuable things are taken from the person, his slave is taken so he should pay the machatzis hashekel, then he gets back the pledge. What is the halacha? Yes.

Discussion: When Does the Shekel Become Hekdesh?

Speaker 1: So it is, the halacha is like this, **im nitrema hateruma**, if when the... the person who gave it, the first one, the sender, already did teruma, he said this should be machatzis hashekel?

Speaker 2: No, nitrema doesn't mean the terumas halishka?

Speaker 1: Because always it's already good. Yes, yes. Okay. But when? We're talking here presumably in a case when the first one hasn't yet made it machatzis hashekel, because perhaps if yes the second one's action wouldn't help. The second one's action what? It already stands like this, if the first

one already said this should be my machatzis hashekel, it doesn't help what the second one does. So the second one is still obligated in machatzis hashekel. That would mean the first person's machatzis hashekel. He is indeed still obligated, that's a second problem. He still becomes exempt from the pledge thing. The treasurer doesn't know, yes. Okay.

Innovation: Terumas Halishka Makes the Shekel Hekdesh

So it is, **im nitrema hateruma**, if already... We learned earlier that afterwards later they take down, not later, that in the chamber they take down from the boxes and they buy offerings with it, because it's still going for collection of machatzis hashekel in the distant cities. So the whole point is, if when this thing happens they already did teruma, they already took down money for offerings in the name of all Israel, so **ma'al hashokel**, that the messenger who did the theft bit... not the messenger, the messenger. Ah, sorry, the thief. Yes, the thief. Besides what he did a simple wrong to his friend, he transgressed me'ila. And he must do whatever the laws of me'ila are, that he must pay for hekdesch, and if he was shogeg he must pay principal and a fifth, and with a korban me'ila.

Why? How is there me'ila? So the point is like this, **shezeh hashokel birshus hekdesch hu**. The shekel is already in the possession of hekdesch, because already, against that shekel they already took down **shekvar tarmu al he'asid ligavos**, because the possession of hekdesch, the chamber, already spent money, already gave out the shekel even before it arrived. So it's simple that the shekel was already, one is already obligated, the shekel is already... obligated from hekdesch. Not obligated. The teruma must be for the future is a real thing, it's not some segula for Israel.

Discussion: How Does Teruma Al Asid Ligavos Work?

Speaker 2: But asid ligavos means apparently already separated. So the shekel was already a shekel that the hekdesch already used as it were. They used another shekel, not any hekdu, also not. They don't remain owing, because teruma means that one takes a portion from the chamber and puts it away for offerings. Now you have to start again.

Speaker 1: To credit the money that was laid out for you, as if a korban tamid was brought in the name of all Israel, and in that your shekel was included. Now you must... It was included, right. It's as if included, because the teruma is as if one takes a piece, and it's against all the other pieces that also lie there. When the other one pays it comes out... It's not that something will be missing, because the teruma was, they didn't remain owing anything for teruma. There's no difference in reality whether teruma was already done or not. But in the halachic landscape of... that the machatzis hashekel was already hekdesch. Then it becomes sanctified.

It appears, it's interesting, then it's called me'ila, he'll have to serve me'ila, he'll have to bring a korban me'ila. It appears here a new innovation that we didn't know until now, that the teruma makes it kodesch. It's interesting. Or, earlier it was learned when it fell into the treasurer's hand, other levels. Do you understand like this? When it becomes kodesch in terms that it's already called money of kodesch is when it was handed over to the treasurers. But here is the point of... No, earlier is the treasurer. Apparently, when he fulfilled the mitzva of machatzis hashekel, it's simple that the money became his name, it became kodesch money. It appears that he fulfills perhaps immediately when he separates it. Soon we'll see it.

No, we'll soon see in the next column that if he separated too much, it remains chullin. As if that means handing over shekalim.

It could be that... It could be that it's a law in me'ila. Me'ila is only something where an offering was already brought, or something that's already fit to be an offering. It's not anything that's me'ila. One doesn't make it directly. Does it become wanted for me'ila. Is there me'ila? There's a question. It appears something that perhaps there's the innovation differently. There's the innovation that it hasn't yet arrived. That is, the other one stole from his friend, he didn't steal from the hekdesch out. But since teruma was already done, the teruma sanctified. But otherwise, if he gives yes, perhaps yes it becomes sanctified when it comes to the decree. I'm not sure. You understand? I don't know the basic...

It's said like this, in the minute the friend took a machatzis hashekel and he said this should be a machatzis hashekel and he handed it over, and in that Beis Hamikdash at that time an offering was already brought. And on whose account was an offering brought? Among all of Klal Yisrael an offering was also brought for the first Jew, for Reuven. And when Shimon stole it, he stole from hekdesch, because hekdesch already as it were laid out on account of that shekel. He was me'il with hekdesch.

Yes, I'll tell you exactly, the word "laid out" makes it sound funny. I would have said, it already became kodesh, because kodesh it becomes at the time of the teruma. Here there's an innovation that it becomes even on what's standing to come, not only on what's already here. It becomes already... But it appears that... That's how I think, that the chamber, something appears that everything that lies in the chamber before the teruma is not yet really hekdesch. That is, it's taken together, one doesn't know exactly. Do you understand what I'm saying? I have the sound. Perhaps I'm not sure, but perhaps there are other... No, no, no. I'm not... I'm not existent not now. A good leader. Who's calling me?

The Rambam's Explanation: The Benefit of Me'ila

Translation

It appears that the terumah does something. So it comes out that you're already stealing from something that's already hekdesch. **And it turns out he saved himself with the money of hekdesch and benefited from this shekel.** What does this mean? The Rambam explains, and he brings down the simple meaning in Mishnayos, that the very act of giving the mitzvah of machatzis hashekel itself is only a mitzvah, and a mitzvah has no benefit. But the fact that he saved himself from being pledged, from having things taken from his house, is certainly a benefit. And that is the meilah. It's as if it was already terumah.

Halacha 10 (continued) – Stealing Machatzis Hashekel from One's Friend

The Rambam's words: And so one who steals from his friend his half shekel and gave it as his own — he has fulfilled his obligation, and is obligated to pay the owner double, or to add a fifth.

His friend doesn't need to bring machatzis hashekel again, because he already gave. He used money that's already machatzis hashekel. For two reasons it's already machatzis hashekel: because the friend already was terem, and because the chamber already was terem on account of that shekel. So

that makes it kodesh. He committed meilah by saving himself from the mashkenin oso.

"And if the terumah was not taken," but if not yet, the chamber hasn't yet been terem, it's still before that, "he didn't commit meilah," because it's not yet completely hekdesch. It's not at all.

Why isn't it completely? Because you rule that it was given from hekdesch? No, you say that it's given, it only becomes so at the terumah. That's how it appears in this halacha. I don't know, are there other halachos that contradict this?

Because look what he says: "And he is obligated to give to his friend half a shekel." You have to pay him back, it was stolen. The question is further, from whom did you steal? If you stole from hekdesch, you're a mo'el. If you stole from your friend, you'll pay half a shekel for your friend.

Do you see anywhere that we see that at the time of separation it becomes hekdesch? All matters of hekdesch, the minute it was made hekdesch, "amarta legavo'ah misura lehedyot." But the making hekdesch... perhaps the making hekdesch is... yes, I don't know. Perhaps... I tried to understand. Perhaps it doesn't mean made hekdesch because you still need to give? I don't know.

Connection to the Previous Halacha of Shaliach

In the previous halacha it deals with the shomer chinam and with the shomer sachar, yes, the whole discussion. There I thought it's only a question of responsibility, but there's no way, yes? If it would be immediately hekdesch, yes, for example, okay, it could still be that he has responsibility for the hekdesch, perhaps there is such a thing. In the previous halacha, halacha 9, I think. I don't know, it's not clear.

And so, says the Rambam, **and so one who steals from another his half shekel, half shekel, and gave it as his own**, just a thief, someone is just a thief and he took the other person's machatzis hashekel and he gave it for himself, **he has fulfilled his obligation**, that the thief fulfilled the mitzvah of machatzis hashekel, because he's the one who actually handed it over to the gabbai, it seems, **and is obligated to pay the owner double**, and he must return to the owner, he must pay like the law of a thief, he must pay kefel, **or to add a fifth**, or if he's a gazlan and he denied it, then one pays principal and a fifth. Here he's called only a thief.

Yes, it was the laws of theft from his friend. Yes, it wasn't meilah from hekdesch? No, certainly not. He simply stole from the friend. He simply stole from the friend.

Question: Why Is He Yotzei? Mitzvah Haba'ah Ba'aveira

But there's a question, there's another question. That is, seemingly it's like a mitzvah haba'ah ba'aveira, something of that sort, the Almighty hates robbery in an offering. Why don't we say that it shouldn't be yotzei at all? It's not your money.

For two reasons I want to ask why one is yotzei at all. First of all, it's a mitzvah haba'ah ba'aveira, we learned in hilchos lulav, there are all kinds of mitzvot where one is not yotzei this way. Secondly I want to ask, what does it mean that you didn't give your money?

Rather what, it means, indeed when he gave it was in a manner of sin, but the hekdesch actually benefited. It means, here we're also talking, if the terumah was taken will indeed seemingly be the problem. You ask like this, if the terumah was taken he already took it was. No, if not the terumah was taken, then one can say that he must pay for his friend, and

now there lie in hekdesch properly two machatzis hashekel, he already did teshuvah. Right, that makes sense.

Yes, but I say, why when it's already the terumah was taken don't we say that... No, the terumah was taken makes it that it's already not the other person's, it's hekdesch entirely. That it didn't go from a friend that it's hekdesch.

Right, but why shouldn't we say that besides having to give meilah, he must still give a... he must still give a machatzis hashekel because what he gave was a mitzvah haba'ah ba'aveira. Ah, no, it's implied there that he was yotzei, right? How can it be?

Question: How Can Two People Be Yotzei with One Machatzis Hashekel?

It was lost, he only received one shekel? It's actually funny, the language "and so" implies that also the previous one, perhaps not, perhaps the first one didn't give. No, why when the friend becomes aware that the other one went, must the friend go give machatzis hashekel? No, it was already machatzis hashekel, they already were terem on that. Why? He was already yotzei, he already brought a korban from his machatzis hashekel, no? So he must... That is, the thief must certainly give again another machatzis hashekel.

I don't know, we need to know what the "and so" means. That is, they saw earlier that sometimes when the Rambam says "and so," not always does it mean the same halacha. That is, it could be that the previous one, certainly the sender was yotzei, but not the thief, what does it mean a thief? The thief only the sender was yotzei, he was basically only indeed the pledge, they didn't pledge him, but the mitzvah he didn't have.

But others say that yes, he says that indeed a person, he says that he says yes yotzei. On this a question is asked, that he said an answer, mitzvah lav leihanos nitna, yes? So it's implied that he was yes yotzei. So how can it be two people were yotzei with one machatzis hashekel? It's very strange.

Explanation: The Shaliach Is Like a Shomer

Rather it means to say that the person is like a shaliach, a shomer chinam. We learned that if there was theft or loss the sender is liable. Yes? That's how we learned it? Well, how... the previous halacha, let's go back to the previous halacha. The previous halacha says, previous two halachos, yes?

He sent... this isn't multiple people, this is one person. A shaliach was sent, so the halacha is that as long as it's a shomer chinam, if it was broken or lost, and he must give again. He wasn't yotzei, right? A shomer sachar they are exempt, but that's already enough. That already means that... It means, a shomer sachar he is liable. Unless it arrives at the treasurer, right?

But here is a shomer chinam, let's say, even a shomer sachar, and he himself stole, unless it arrives, he must pay, but they weren't yotzei. That's what it says in the previous halacha. So it comes out that this halacha is a detail in the previous halacha. The previous thousands stood that the bad one must bring, it becomes the shomer's in a manner when... right.

Innovation: The Thief Is Also Mo'el

And indeed, here we learn that it sometimes happens that the thief, what becomes the thief is. For example, that thief, let's say not the shomer is a thief, there was a theft or loss, a shomer sachar is liable, whatever it is, or a shomer chinam that he is exempt, that thief is also a mo'el if they already were

terem. A new thing. Besides being a thief, he's also a mo'el for free. That's how it appears in the commentators of...

On this he said the answer that something mitzvos lav leihanos nitnu, I don't know. No, that wouldn't help for mitzvah haba'ah ba'aveira. No. That is the money is repulsive, no mitzvah haba'ah ba'aveira is indeed only directly when one brings an olah, hates robbery in an offering, but it could be when it's only money that one is terem on it.

"This one is obligated exile above, and on the totality for us mitzvos lav leihanos nitnu." I really don't understand. That is, it's implied on the Rambam that he was yotzei the mitzvah, and the previous one, the sender, must indeed bring again. He says an answer, mitzvos lav leihanos nitnu.

Okay, I think that the question of mitzvah haba'ah ba'aveira we'll be able to clarify later, as it says when one did other sins, one gave machatzis hashekel from money that's already hekdesch, or from ir hanidachas, let's see there. Okay, true.

Conclusion: The Sender Must Bring Again

In general, here it is yes implied that the sender must bring again, because it wasn't a shomer sachar where there was theft. And nevertheless, the shaliach is effective. Okay. 11? Yes.

Halacha 11 — Gave from Hekdesch

Yes, so it comes out to me perhaps... let's see indeed there the halacha and think about... in the end, right? End of the halacha. Okay. 11.

The Rambam's words: One who gives machatzis hashekel from hekdesch.

Money that he already made hekdesch. He made hekdesch money for, let's say, to bring a korban or for any hekdesch. And he went and he gave from that machatzis hashekel. So it's simple that he stole from hekdesch, because he should have now given his own machatzis hashekel. He went and he took from the hekdesch money machatzis hashekel, **and the terumah was taken**, they already were terem terumah. So again the same halacha, **when it is used from it**.

Why "When It Is Used From It"?

What does "when it is used from it" mean? When one goes to bring a korban, and the hekdesch goes to bring a korban. What obligated in meilah he will become obligated in meilah, because... because he used hekdesch money to get out of the pledge thing, like before.

Interesting, why is the word "when it is used from it" still needed? Why isn't the terumah was taken itself enough? The terumah was taken says that then the money that you were terem became machatzis hashekel. So he brings, as long as it's only money that's part hekdesch, there's perhaps a part, but it doesn't mean meilah, the money lies, the money lies in the chamber. Or even after the terumah they bought a korban, they took it from whatever other hekdesch that this could have been, and now the machatzis hashekel became an animal. So now he committed meilah.

Note About Mitzvah Haba'ah Ba'aveira

Ah, you see the top note, it talks about the mitzvah haba'ah ba'aveira. Yes yes, I saw from there, but he didn't answer my question. It's not clear. Yes yes. Further. Aha.

Halacha 11 (continued) — Gave from Money of Ma'aser Sheni

The Rambam's words: He gave from money of ma'aser sheni.

What happens if a person took from money that he has from ma'aser sheni that he was terem? Ma'aser sheni money is eaten in Jerusalem, and he took from that a bit for hekdesch, for the machatzis hashekel. On this there is yes a solution, on this he's not mo'el, but it can be fixed. **He should eat its equivalent in Jerusalem**, he should take another machatzis hashekel, he should as if pay back for the ma'aser sheni. One can still redeem ma'aser sheni, so this is as if the redemption. Yes. It can still be fixed.

Halacha 11 (continued) — From Money of Shevi'is

It's the same thing with ma'aser shevi'is, the same thing, if he took from money that is holy with the holiness of shevi'is, money for example that... what money from sefichei shevi'is or such a thing. He says, with this they bought fruits of shevi'is, and the money receives the holiness. Shevi'is takes hold of its value. So also the same thing, there's no meilah on this,

Halacha 11 (continued) – Separated from Money of Shevi'is and Ir Hanidachas

But what then? He's now obligated for shevi'is, he took away from money of shevi'is. Can he continue to exchange, yes? **"He should eat its equivalent in the holiness of shevi'is"**, the same amount that he spent for machatzis hashekel, and eat that as if to redeem back, to complete back for shevi'is what was taken from shevi'is.

But **if it was from ir hanidachas**, if he took money from ir hanidachas and gave machatzis hashekel, **he has done nothing**, he has accomplished nothing. He hasn't yet given any machatzis hashekel, he must complete machatzis hashekel.

Why? Because money from ir hanidachas is like... because it's destined for burning, we look at it as if it's already burned, and it has no measure of machatzis hashekel.

Interesting, machatzis hashekel is indeed a measure, yes? A machatzis hashekel, half a shekel. It's an interesting thing, because in practice the hekdesch uses the money. Yes, the money entered, it became nullified in the majority, and the hekdesch uses it. But in law, in a legal view, he didn't give any machatzis hashekel, he gave something that's destined to be burned.

Yes, agreed, the hekdesch... machatzis hashekel is so that the hekdesch should have money, but the mitzvah is that you should give, it must come from your money, and this isn't your money, this is nothing at all. Yes.

Halacha 12: One Who Separates His Shekel in Error

Okay. The Rambam continues, **One who separates his shekel**... no, yes, another halacha. So until now we learned when there's theft and so on. Now we learn when a person thinks he's obligated in machatzis hashekel, he makes a mistake. He didn't remember for example that he already gave machatzis hashekel, or he doesn't know that he's exempt, he knows that he's a... **and thought that he is obligated**, he thinks that he's obligated in machatzis hashekel, **and it turns out that he is not obligated**, it turns out that he's not obligated in machatzis hashekel. For example, the simplest is that he simply already gave.

You shouldn't think that it's now become anyway kodesch because he separated it. So the halacha is **it's not holy**, because when one makes something hekdesch in error it doesn't mean hekdesch. When one does in error it's void.

The same thing, **he separated two**. Not the same thing. What is the halacha like this? **He separated two**, he separated two machatzis hashekel. Because he thought for example that he must give also for his wife, or I know why. Or that he thinks he didn't give for a year, he must now give for two years. It turns out **that he is only obligated for one**.

So like this, **if one after the other**, if he gave one and then another one, it means the new one, the first one he gave for his obligation of this year, and one he gave to complete an old one. So **the second is not holy**, because it was made hekdesch in error.

But when **at the same time** he gave both at once, then we don't say that one becomes chulin, because there's no, perhaps we don't say in such a case there is choice or what, but since both have a doubt whether they're in kodesch, the first goes for the obligation of the new shekalim, because the second means leftover shekalim. The second in doubt goes into the law of leftover shekalim, that it also goes for hekdesch with other laws, that it should be collected another time, and so on.

Yes, it's not clear what leftover shekalim means. The Ra'avad disagrees with this halacha, or the Ra'avad says no. **One is chulin**. What didn't he like in the thing that... whatever the Rambam has no problem with him, one can't say choice or perhaps to be exact. Not clear. Further, perhaps to be exact is said later.

He separated and died. What happens in such a thing? A person separated his shekel, and then died before it arrived where it needs to arrive. So he's exempt as if, because a dead person is exempt. Yes, a dead person is exempt from all the Torah entirely, and also from the korbanos on his money.

So in general, every year Jews die and korbanos are brought on them. Well, that's the innovation only before it came to the treasurers. Just so, people die, it's not a wonder. There's a law that the public doesn't die. It means, you see? When it already comes to the hand of the treasurer, it already means like a part of the public. The public lives. And before it arrived at the treasurer, you're the individual who was unfortunately a shlimazl and died. So your money is out of the equation.

So what does one do with the money? **It falls to voluntary offerings**. It's not taken back. With this korbanos nedavah are made. It's not taken back for the heirs or something, but... it goes into the box that goes for korbanos nedavah.

And the Rambam explains, what does nedavah mean? Because... wait, already before. The Rambam says, leftover shekalim... later he'll say this, yes. Before, he says the Mishnah, there's halacha 13. But nedavah means basically that it's offered... not a korban tzibur that's obligatory, but the extra olos, that is kayitz hamizbe'ach, which is offered when there are few korbanos on the altar, extra olos are brought from the nedavah money.

Halacha 13: One Who Takes Money for His Shekel

What happens with such a halacha? We learned earlier, *v'lakachta me'os b'yadecha***, one gives all at once a whole shekel, just like the halacha of machatzis hashekel, one gives a whole one. So the person collects together from his money, he accumulates a bunch of quarters, he took a silver dollar, whatever it is. He takes ****me'os b'yado****, ****v'omer "elu l'shkali"*****, that this should go for my shekel.**

Or another case, where he has by himself a small pushke (charity box), and he collects together little by little, prutah by prutah joins together until he will have for a shekel. But **k'shehitchil l'laket**, when he began to collect, he already said "**hareini m'laket me'os l'shkali**".

One might have thought that each time when he put money into the pushke, he gave it for machatzis hashekel, and now it must have a kedushah (sanctity) of machatzis hashekel. The halacha says, not so, **afilu liket m'lo kis**, he collected together a full purse more than machatzis hashekel, then **nosein bahem chatzi shekel she'hu chayav**, he gives only the half shekel that he is obligated, **v'hasha'ar chulin**, the remainder is chulin (non-sacred), **she'mosar hashekalim chulin**, what remains from machatzis hashekel that he had set aside.

I think it's very similar to what we learned earlier, that when one sets aside something in error, the person had set aside because he didn't know that he had begun, but the whole time he put in small change to be able to make a shekel.

Now, let's understand. There is something called mosar chatas, yes? Which we learned earlier by the thirteen shofros (collection boxes). If someone had set aside from his chatas (sin offering) twenty dollars, it turns out that a chatas costs nineteen dollars, he cannot use the dollar for chulin.

It's very different, because the person doesn't need to know what a korban (sacrifice) costs now in Jerusalem, because machatzis hashekel is a specific amount. Okay, very good. So that is the difference, so he says about this. That machatzis hashekel is a davar she'yesh lo ketzavah (something that has a fixed measure), that means, exactly. When you are makdish (consecrate) for a behemah (animal), it could be the behemah will cost more, it succeeded, today the price of animals went down, he's left with money with kedushas damim (sanctity of monetary value).

But mosar shekalim, a shekel is a half shekel, therefore the remainder stays like an error, it stays like the halacha as before, that if someone makes something hekdesch (consecrated) in error. His error is, he miscalculated, he put too much money in the pushke, he didn't look each time.

Halacha 14: Money Found Between Box and Box

Very good. The Rambam says further, now we're going to learn, until now we learned about the people who set aside, now we're going to deal with halachos based on reality, basically, right? When one finds money, and one doesn't know... one finds money for the machatzis hashekel lying around, where the gabbaim (treasurers) collect together machatzis hashekel. How does one know if it's a machatzis hashekel?

Me'os she'nimtze'u, we learned that there is by each table there are a few boxes, there is a box for machatzis hashekel, and there is a box for another nedavah (donation) for hekdesch. What happens **me'os she'nimtze'u bein teivah shel shekalim u'vein teivah shel nedavah**? It's lying between the two pushkes. One goes according to the close one. **Karov l'shekalim**, we have an umdena (assessment) that it fell from the nearby pushke, that the person meant to put it in the pushke and it fell out, **yiplu l'shekalim**. **Karov l'nedavah, yiplu l'nedavah**.

What happens **mechetzah l'mechetzah**? What does one do in such a case? It's a safek hashakul (equal doubt), we don't

know which one. What else should one do? The Rambam says such a chiddush (novel ruling): one should give it to nedavah. Why? Because the nedavah is a greater level of kodesh (sanctity), it goes for a greater purpose.

Why? You can say that it's more limited. That is, generally nedavah shekalim but not generally shekalim nedavah. Why? **Mipnei she'nedavah kulah olos l'ishim**. Nedavah goes for olah (burnt offering), which is entirely l'ishim, one burns it entirely, and one has no benefit from it. **V'ilu shekalim mistapakin bahem olos u'dvarim acherim**. From the shekalim one takes also olos and also other things, shelamim (peace offerings), it's other korbanos from which the... not regular shelamim, but types of korbanos, shalmei tzibur (communal peace offerings), yes, which the kohanim do eat from.

So we cannot... we must go l'chumra (stringently), because if one would have taken something, perhaps it's nedavah, and nedavah is holier than this, the kohanim don't eat from it, and it goes entirely l'gavoha (to the Most High). Therefore one goes here l'chumra, that one gives it to nedavah.

Discussion: Has the person who tried to give machatzis hashekel fulfilled his obligation?

And Chaim, and doesn't one say about this that as if the person who perhaps tried to give machatzis hashekel, his machatzis hashekel still hasn't come. Also if one was already. Yes, and also the nedavah is also. Sometimes there is machatzis hashekel that goes to nedavah, so machatzis hashekel is not against nedavah. I think one will see soon, there are times when machatzis hashekel is also nedavah.

Halacha 15: All Money Found Between Each Box and Box

The Rambam says, and Chaim, **kol hame'os hanimtza'im bein kol teivah v'seivah**. Will the same halacha be by every type of tzedakah (charity)? Does this stand by between all boxes by all other boxes? Or does he mean here in the chamber? Ani tzur, yes, in any case. Between any two pushkes.

The thirteen pushkes in the Beis HaMikdash (Temple), not by the table of the city. First we learned about the two. The table of the city has the option of two, but by the Beis HaMikdash there were more. The table of the city also learned earlier. Yes, by the words, the table of the city doesn't have nedavah, right? It only has shekel for this year and shekel for last year, I remember. Yes? Beginning of chapter 2.

So nedavah must already be Beis HaMikdash, and there are thirteen, there is the whole list. No, but what is called shirei lashkah (remainder of the chamber) one also gives for other purposes. Okay, what comes in shirei lashkah now? No, the second table, the two pushkes, one is... is one good. True, shekalim for the same shekalim. I agree, it could be the same question there. Okay.

So here we're speaking now about the area of the Temple Mount, where there are pushkes for nedavah. There are thirteen pushkes, each one a type. And if one can apply between box and box, one always goes according to the close one. If it's mechetzah l'mechetzah, then **im bein etzim l'levonah nimtze'u**... if it lies between the pushke that goes for a korban of wood and the pushke that goes for levonah (frankincense), **yipnu l'levonah**, one always goes l'chumra.

Levonah is a higher level, because wood, the wood itself is not a korban, the wood is made to burn the meat. But the levonah is itself a korban. The frankincense one puts in the ketores

(incense), one puts it on the lechem hapanim (showbread) and on the minchah (meal offering).

Halacha 15 (continued): Money Found on the Temple Mount

Words of the Rambam:

V'chol hame'os hanimtza'os b'Har HaBayis — chulin, she'ein hagizbar motzi me'os miterumas halishkah ad shehu m'challan al habehemos shelokei'ach l'korbanos.

Explanation of the Rambam

When it's between kinim (bird nests) and gozlei olah (young birds for burnt offering), the kinim itself is olah and shelamim. Yiplu l'gozlei olah, which is entirely olah, which is higher the level which is kulo lashamayim (entirely for Heaven).

Zeh haklal, holchin achar hakarov b'chulan, mechetzah l'mechetzah — l'hachmir.

The Rambam says further: **V'chol hame'os hanimtza'os b'Har HaBayis** — what happens with all money that one finds on the Temple Mount? Generally, not near the boxes, one finds simply on the Temple Mount. Now the question is that perhaps one should be concerned that it's money that fell out from a pushke.

But the halacha is not so, the halacha is chulin — that the money is chulin.

Why? **She'ein hagizbar motzi me'os miterumas halishkah.** When the gizbar (treasurer) takes money from the terumas halishkah (chamber collection), to carry it to the azarah (Temple courtyard) to buy animals on the Temple Mount — there are the animal merchants who operate on the Temple Mount, and they do business with the treasurers of the chamber — one doesn't need to be concerned that it fell out from the hands of the treasurer, therefore it's kodesh (holy).

Why? Because it's already taken effect then. Because **she'ein hagizbar motzi me'os miterumas halishkah ad shehu m'challan al habehemah shelokei'ach l'korbanos.**

Explanation of the Mechanism

The animal would become — no, no, that's only later. The moment that he stands by the door of the chamber, as I understand it, the treasurer says that now I'm already buying the money. So he does such a thing, that it's already now mechubal (exchanged) — that means it's already now exchanged with the animals the money, that the money is already going out to chulin, even before he comes to the Temple Mount where he actually takes the animal. It's something like that.

It turns out that on the Temple Mount all money is already chulin.

The Ritva actually, he's afraid that it will be lost, it will become a problem, so he makes sure that one doesn't leave any holy money on the Temple Mount — one buys it already

beforehand. He speaks this way with the animal sellers, like this, something like that. Yes.

Reason of Tosafos — and the question on it

Others say differently, because it's one differently. According to the Rambam it fits very well, but Tosafos says the reason is because we think that it fell out from one of the people who operate on the Temple Mount.

And on this Tosafos asks: what does majority mean? Presumably one goes according to the majority, the majority are not people. Seemingly on the Temple Mount there were also the animal merchants who sold on the Temple Mount animals to the Jews, and they certainly held money.

And also when the money — what is said that one may not go up on the Temple Mount with money — doesn't mean the money that he needs now to buy an animal. But at least that if one bought the animal outside of Jerusalem, one bought the animals.

Discussion: "One may not enter the Temple Mount with money"

He brings a simple matter: it says in the Mishnah in Berachos that **one doesn't go on the Temple Mount with his staff and his shoes and his purse and the dust on his feet.** But it doesn't mean that one may not have any money in one's pocket. It means some way, some worldly way.

I don't know, it could be it says somewhere — whether the animal merchants who sold animals to the Jews sold on the Temple Mount or outside the Temple Mount?

On the Temple Mount it's certain that one must take money to buy korbanos. I just need — but I think it's simple that there's no prohibition to go with money in pockets to the Temple Mount. It means that one doesn't bring with the backpack, whatever. I don't know exactly what it was in those times.

Proof from the Mishnah in Shekalim

And it says in the — no, animal merchants, ah, you see? That's the Mishnah in Shekalim. It says: **What is found before animal merchants — ma'aser (tithe), and on the Temple Mount — chulin.**

That is, are there animal merchants on the Temple Mount? This needs to be checked. It looks like there were indeed merchants on the Temple Mount.

I don't know, it's two things. **What is found before animal merchants** is one thing, and **what is found on the Temple Mount** — but yes, but he says — why did I think of this about this? Because it says here that the treasurer is already then taking out.

No, no, no.

In short, a case: one finds money on the Temple Mount. That's the fact. Everywhere money circulates. How do Jews circulate money? One finds every and much money. Already.

Wonderful. We have finished chapter 3.