

OVERVIEW of the Daf

1) Meat that was hidden from the eye

Rav saw that people acted leniently so he ruled stringently and prohibited meat that was hidden from the eye—בשר שנתעלם מן העין.

Two incidents where Rav ruled stringently are recorded.

Two related incidents involving wine are presented.

Two stories involving lenient rulings related to lost objects are documented.

R' Mana and R' Yosi have a disagreement whether there is value to announce lost objects found in a public place.

2) HALACHAH 3: MISHNAH: The Mishnah continues its discussion of the law that governs found items. Seven decrees of the Court related to korbonos are recorded.

3) Finding a male animal

The Gemara questions the Mishnah's ruling that a male animal found around Yerushalayim is offered as a Korban Olah.

After rejecting two explanations, the Gemara accepts two explanations.

4) The Kohen Gadol's minchas chavitin

R' Yassa retells a conversation between R' Yehudah and Shmuel concerning three halachos. The first relates to a person who separates a shekel and dies. The second relates to the surplus of the Kohen Gadol's tenth of an ephah, and the third relates to the proper procedure for dividing and sanctifying the Kohen Gadol's tenth of an ephah.

According to R' Yochanan, the flour is divided into two and then sanctified. According to R' Shimon ben Lakish it is sanctified and then divided.

Each view is unsuccessfully challenged.

A number of details regarding the minchas chavitin are discussed.

The Gemara points out that the Mishnah in Menachos regarding a Kohen Gadol who dies and is replaced the same day also applies if the Kohen Gadol becomes blemished and cannot perform the service.

5) The dispute concerning payment for the minchas chavitin

A Baraisa is cited that elaborates on the dispute in the Mishnah concerning who pays for the minchas chavitin when the Kohen Gadol died.

R' Ba bar Mamal notes a contradiction in R' Shimon's position as to who pays for the minchas chavitin when the Kohen Gadol died. ■

Distinctive INSIGHT

The status of the kohen and his service before bringing his עשירית האיפה

אחד כהן גדול ואחד כהן הדיוט שעבדו עד שלא הביאו עשירית האיפה שלהם עבודתם כשירה

Rambam (הלכות כלי המקדש פ"ה הט"ז) rules that the service of a kohen who works in the Beis HaMikdash is valid (כשירה) even before he brings his initial offering of עשירית האיפה. This is in accordance with our text, although the text according to the Gr"א reads "פסולה".

Mishnah LaMelech notes that the text in Toras Kohanim also states that the service of a kohen prior to his initial flour offering would be unacceptable, but he points out that this reading is in error. We can prove our point based upon a Gemara in Yoma (12a). The case is where the Kohen Gadol is officiating on Yom Kippur, and he suddenly becomes disqualified from further service after he finished bringing the tamid, early in the morning of Yom Kippur. The Gemara asks: How can we initiate the next kohen as Kohen Gadol so that he can continue and finish the rest of the Yom Kippur service? This question in and of itself demonstrates some assumptions. We see that bringing his actual עשירית האיפה offering is not allowed on Yom Kippur. But if his service is disqualified without it, his עשירית האיפה would be essential and therefore permitted on Yom Kippur. If it was allowed, we would initiate the new kohen in the standard manner. We therefore conclude that his service is valid, even before he officially brings his personal flour offering.

Sfas Emes points out that the proof of the Mishnah LaMelech can be answered. Perhaps a kohen who never brought a flour offering cannot serve, and if he does, he service would be unacceptable. However, the Gemara in Yoma is speaking about a kohen who officiated and served as a regular kohen in the past. He had brought his עשירית האיפה. In this case, he was even alerted that he would be the stand-in Kohen Gadol in case of emergency. When he is called to duty, the only thing he is lacking is being initiated as Kohen Gadol. This is classically done with the bringing of the חביתי כהן גדול, which is a personal offering, and this is not done on Yom Kippur. ■

Today's Daf Digest is dedicated

by Avery Hart and Nina Black in memory of their father

ר' חנוך בן ר' ישראל הכהן, ע"ה

HALACHAH Highlight

Finders keepers—losers weepers?

המציל מיד הארי מיד הגייס וכו' הרי אלו שלו מפני שהבעלים מתייאשי מהן

One who retrieves an item from a lion, an army... the item belongs to the one who retrieved it, for there is an assumption that the original owner gave up all hope in ever getting it back.

The Poskim write¹ that if someone retrieves an item from a city engulfed in a fire causing all the inhabitants to flee, he does not need to return it to its original owner. The reason is that when the owner runs away from the city he gives up all hope of saving it and the one who did pick it up acquires the item from "hefker." The Achronim² enumerate two conditions regarding "giving up all hope." The first condition is that the owner has abandoned all hope of recovering the item, to the point where he feels it is useless to even make an effort to salvage it. Secondly³, the owner has no one who could retrieve it for him. If, however, he thinks he may be able to retrieve the item or if he thinks someone may be able to retrieve it for him, then the one who picks it up does not take ownership of the object. He will only be able to claim reimbursement⁴ for the favor. Nonetheless, one who works as a firefighter should not take anything from a burning building for three reasons:

1—In a country where it is legally prohibited for firemen to take items from a burning building, according to Rema⁵ one is halachically bound to the law.

2—A Chillul Hashem may be generated because a Jew took something⁶.

STORIES Off the Daf

Finding our lost treasures

ואנן חמיין דרבנן מכריזין

Beyond the fact that the Rabbonim hold themselves to a higher halachic standard, what deeper meaning lies in their practice of announcing a found object even when there is no halachic obligation to do so? The Sfas Emes, zt"l, explains that restoration of a lost object symbolizes the resolution of a deep spiritual search. This is because all gifts given from on high are never retracted, as it says in the Zohar HaKadosh that Moshe Rabeinu merited to all the crowns that we lost at Sinai. All spiritual gifts that

have gone lost are all found by a tzaddik, and if we seek them out, they will certainly be restored to us.

The Ariza"l writes that Moshe Rabeinu returns the crowns to us on Shabbos, because it is the day in which we can find the time to search for what we've lost. In this world we naturally forget the ultimate purpose, but the extra soul of Shabbos reminds us of other spiritual gifts that have fallen by the wayside. If we want to regain our spiritual aveidos, what we need most is time to think about them. Yet, despite knowing that we are here for only a limited amount of time, the tendency to feel like we will live forever is common to us all.

The Ohel Yaakov, zt"l, once explained this idea very graphically. "The

average life span of seventy years is comprised of twenty-five thousand days. And this is why people treat time as if it doesn't make a real difference; because it seems as though there is so much at their disposal!"

So he offered some advice. "Think of a beggar who collected twenty-five thousand pennies. Loaded down with all those coins, he naturally feels as if he is very wealthy. But as soon as he changes his money into big bills, he sees how little he really has. Even if we live to be a hundred, the minute we change the days into years, it's much easier to watch our time."

"Then try exchanging fifty years for a yovel!" ■

REVIEW and Remember

1. Why did the Rabbis announce that they found lost objects when they had the legal right to keep them?
2. Explain the enactment that permits kohanim to derive personal benefit from wood and salt from the Beis HaMikdash.
3. What is the dispute between R' Yochanan and R' Shimon ben Lakish concerning מנחת חביתין?
4. How is the מנחת חביתין prepared (two opinions)?

3—Additionally, there is a basis to go beyond the letter of the law⁷ and return the item to its rightful owner.

These reasons apply⁸ even when there are non-Jewish firemen who will take items for themselves. ■

1. כ"כ המרדכי בפרק הגוזל בתרא סימן קע"א, והביאו הרמ"א בחושן משפט סימן רס"ד ס"ה
2. כ"כ הש"ך שם ס"ק ח'
3. כ"כ נתיבות המשפט סימן ש"ג בריש ס"ק ו'
4. ש"ך הנ"ל
5. רמ"א חר"מ סי' רנ"ט סע' ז'
6. עי"ש בסי' שמ"ח ס"ב, שאפילו כשאין איסור מצד עצם הממון מ"מ כשיש חילול ד' אסור
7. בסימן רנ"ט ס"ז. ועי' בפת"ח דיני אבידה פ"ב בהערה נ' ודו"ק
8. כונתי לומר שאל"כ ה"ז גופא הוי כיכול להציל ע"י אחרים דהיינו ע"י האחרים המכבי אש. ועי' בפתחי חושן הנ"ל הערה ל"ד ■

