



Volume 7. Issue 36

Mixed Up Maaser Sheni

Two *Mishnayot* learnt this week deal with cases where *ma'aser sheni* money is mixed with regular money. Learning these two *Mishnayot* one after the other can possibly leave one confused. We shall attempt to clarify.

The first *Mishnah* teaches that if the both types of money were scattered on the ground and each of the coins collected on-by-one, then the first coins are assumed to be the *maaser sheni* coins, while the remainder are *chullin*. This is the rule even if some of the coins were lost when they fell to the ground. The *Bartenura* explains that this works because when collecting each coin, one stipulates that if the collected coin is not *maaser sheni* then the sanctity of a *maaser sheni* coin still scatter should be transferred to it. The same *Mishnah* teaches that if the money that fell was collected at once (presumably they not scattered to widely) then the money is divided according to the original ratio.¹

The second *Mishnah* however teaches that if one *maaser sheni* coin and a regular coin of equal value were mixed together, the solution is different. One is required to take coppers coins of the same value of the *maaser sheni* coin², transfer the sanctity to these coins and then transfer the sanctity back to the nicer of the two original coins. The *Mishnah* notes that ordinarily sanctity from coins is not transferred to copper coins. The *Mishnah Rishona* explains that it is degrading to the *mitzvah* to transfer it to small change. Furthermore, copper coins are not a durable. Nevertheless the *Chachamim* allowed the exchange in this case as the situation is an exceptional one. Why is the solution in the second case so complicated? Why not simply take the nicer of the two coins and stipulate as the *Bartenura* described in the first *Mishnah*. We need to understand why different solutions are provided in each of the cases.

The *Bartenura* explains that while in the theory, there is nothing wrong with such a stipulation (*tenai*) in second *Mishnah*, since the case involves only two coins, there is a concern it would be too easy for someone to take one of the coins without articulating the *tenai*.

Similarly the *Melech Shlomo* notes that the *Rambam* (*Maaser Sheni* 6:1) implies that while an intermediate step is required for the above stated reason, this step does not require copper coins per se. The *Mishnah* is merely teaching that even copper coins (which are normal prohibited) can be used to resolve the situation.

Rashi (*Bava Metzia* 56a) however explains that copper coins are required for the intermediate step in the second *Mishnah* because one cannot transfer the *kedusha* of *maaser sheni* between like coins. While this answer explains the second *Mishnah* we are now left with a question on the first. Since transfer between like coins is not allowed, the *tenai* appears to be ruled out. How then can one simply assume that everyone one of the first scatters coins collect from the ground are *maaser sheni* without a *tenai*?

The *Tosfot* (45a) answer this question on *Rashi's* answer by explaining that since in the first *Mishnah* there are many coins, each of them will vary in how easy they are passed. While it is true that *kedusha* cannot be ordinarily be transferred between like denominations, it can be passed from a one coin to another that is more easily passed. (See also *Tosfot Yom Tov*.)³ The *Tosfot* in *Beitza* (10b) however answer differently. The first *Mishnah* also involves the use of copper as the intermediate step even though it is not explicitly stated. (See also *Rash Sirilio*.)

Yisrael Yitzchak Bankier

¹ The *Tifferet Yisrael* explain that we cannot say that on type is annul in the majority because there is a solution (*davar she'yesh lo matarin*). Alternatively, coins are a *davar chashuv*. The *Mishnah Rishona* explains differently, that the principle of *kol deparish* only works for a *davar mesuyam* and not money.

² The *Tosfot R' Akiva Eiger* notes that one would be required to add the extra *chomesh* (fifth) to the principle component of the

maaser sheni coins as one is required to do when transfer the *kedusha* of *maaser sheni*.

³ One could use this answer and ask again the second *Mishnah*: select the coin that is more *charif*! The *Tifferet Yisrael* answer by stating that the *Chachamim* prevented it based on the concern stated in the name of the *Bartenura* above.

Revision Questions

מעשר שני א' ה' – ג' א'

- What is the law regarding one that purchased water or salt with *ma'aser sheni* money? (א' ה')
- What is the law regarding one that purchases fruit with *ma'aser sheni* money outside *Yerushalaim*? Does it make a difference if the purchase was *be'shoge* or *be'meizid*? (א' ה')
- What is the law regarding one that purchases an animal with *ma'aser sheni* money outside *Yerushalaim*? Does it make a difference if the purchase was *be'shoge* or *be'meizid*? (א' ה')
- What must one do if they purchased land with *ma'aser sheni* money? (א' ה')
- Can one purchase a *korban chatat* with *ma'aser sheni* money? (א' ה')
- What must one use *ma'aser sheni* money to purchase? (א' ה')
- Explain the debate regarding using *ma'aser sheni* oil for rubbing on skin. (ב' ג')
- When can *ma'aser sheni tiltan* be eaten? (ג' ה')
- Explain the debate between *Beit Shammai* and *Beit Hillel* regarding *trumah tiltan*. (ב' ג')
- With respect to which law are we stricter with *carshinei ma'aser sheni* then *carshinei trumah*? (ד' ה')
- With respect to which law is *carshinei ma'aser sheni* treated differently to other *ma'aser sheni* produce? (ד' ה')
- Explain the four different opinions regarding the treatment of *carshinei trumah*? (ב' ג')
- What is the law regarding *ma'aser sheni* and regular coins that fell and mixed when: (ה' ה')
 - The money is picked up one by one?
 - The money is picked up all at once?
- How does one remedy a situation where a *ma'aser sheni* silver coin and a regular silver coin got mixed together? (ה' ה')
- There is a debate between *Hillel* and *Shammai* regarding redeeming *ma'aser sheni* money with a particular coin – what type of coin do they argue about? (ה' ה')
- Can someone exchange his *ma'aser sheni* copper coins for silver coins? (Include the opinions of *Beit Shammai* and *Beit Hillel*) (ח' ה')
- Can one exchange a combination of *ma'aser sheni* money and fruit for *ma'aser sheni* money? (ה' ה')
- Is there any restriction on the money exchange once one reaches *Yerushalaim*? (Explain all 6 opinions.) (ט' ה')
- If one reaches *Yerushalaim* and one son is *tameh* while the other is *tahor*, is there a way they can all eat together? (י' ה')
- Can one ask someone to take their *ma'aser sheni* to *Yerushalaim* on condition that the messenger will eat a share of it? (ג' א')

Local Shiurim

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Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*

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Rabbi Mordechai Scharf

9:00am

Kollel Magen Avraham

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www.shemayisrael.com/mishna/

Rav Meir Pogrow

613.org/mishnah.html

Rabbi E. Kornfeld

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<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

SHIUR ON KOL HALOSHON

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In US dial: 718 906 6400

Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
13 th March ז' אדר ב'	14 th March ח' אדר ב'	15 th March ט' אדר ב'	16 th March י' אדר ב'	17 th March יא' אדר ב'	18 th March יב' אדר ב'	19 th March יג' אדר ב'
Maaser Sheni 3:2-3	Maaser Sheni 3:4-5	Maaser Sheni 3:6-7	Maaser Sheni 3:8-9	Maaser Sheni 3:10-11	Maaser Sheni 3:12-13	Maaser Sheni 4:1-2

