

רבי יהודה אומר אף מקבלי פיתקין –

Rabi Yehudoh says, also the note recipients

Overview

rules (according to רש"י [mentioned hesitantly] in the name of his teachers) that if the king's courier ran out and gave the note to the wrong messenger he is חייב. Our תוספות offers an alternate explanation.

מפרש רבינו שמואל¹ שיש אדם ממונה למלך שנושא פיתקין של מלך -

The רבינו שמואל explained that there is an appointee of the king who carries the notes of the king, in order -

לידע מנין גבוריו וחייליו ובית אוצרותיו ונושאים אותן בכיסיהן התלויין באזוריהן -

To know the amount of his warriors, soldiers and his storehouses. These appointees carry these notes in their purses which hang from their belts -

ואותן כיסין חוזרין² פעמים לפנין ופעמים לאחוריהן -

So the purses move around, sometimes they are in front of them and sometimes behind them, so רש"י rules that even if he placed the purse in front of him and it wound up behind him, he is nevertheless חייב (not like by a regular person where לאחוריו (פטור -

והוא ממשיך³ דומיא דסינר דלעיל⁴ שהוא חוזר -

So this case of מקבלי פיתקין is exactly the same as the previous case of סינר, for it too swings back and forth -

ותנא קמא דרבי יהודה לא חשיב ליה חוזר⁵ -

However the מקבלי פיתקין of רש"י does not consider these purses to swing back and forth (as much as a סינר) –

anticipates a difficulty:

והא דמייתי בגמרא תנא שכן לבלרי מלכות עושין כן⁶ -

¹ This is presumably the תוס' הרא"ש; see רשב"ם.

² The purses were attached to the belts with wide loops, therefore the purses would swing back and forth.

³ It may be necessary to say that when תוספות writes, 'והוא ממשיך דומיא דסינר', he does not mean that the כיסין move around as freely as by the סינר (for then why would the חכמים argue), but rather it is exactly the same issue of לאחוריהן ובהאחריות by something which has the tendency to swing around; not like רש"י that the issue is giving it to a different person.

⁴ The משנה stated that a woman who is wearing a סינר and placed the item to be carried in front of her and it wound up in the back, she is חייב because a סינר is חוזר להיות חוזר; the same applies to מקבלי פיתקין according to רש"י.

⁵ Therefore if he placed it in front and it wound up in back he is פטור according to the ת"ק.

⁶ The גמרא cited this ברייתא as a corollary to the ruling of רש"י. This would seem to support פרש"י, for the scribes occasionally have to give their written orders to another messenger, not the one they ordinarily do, because of the urgency in the matter (see ד"ה שכן (רש"י). This is very similar to מקבלי פיתקין according to רש"י (see 'Overview').

And this which the גמרא cites a ברייתא (to support ר"י) which states for the royal scribes also do this -

כלומר שחזור⁷ דבענין זה מיירי רישא⁸ (דברייתא) [דמתניתין]:

The גמרא **meant to say** that by the מלכתי their notes also **swing** back and forth on their belts; for the **רישא of our משנה is also** discussing a case in this **context** of swinging back and forth.

Summary

The issue of מקבלי פיתקין is that their purses swing back and forth (somewhat similar to a סינר) therefore ר"י is מחייב, however the ת"ק does not consider it similar enough.

Thinking it over

Do the words, שכן לבלרי מלכות עושין כן, lean more towards פרש"י or תוס'?

However according to תוספות, the scribes do not carry any messages outside; what is the proof to ר"י and what is the meaning of שכן לבלרי מלכות עושין כן?!

⁷ The similarity is that their notes swing back and forth on their belts.

⁸ ר"י in our משנה follows the ruling of סינר, which is חזור, and ר"י states 'אף מקבלי פיתקין' that they too are חייב similar to אשה. According to תוספות it is understood since all cases מלכות לבלרי פיתקין, סינר, מקבלי פיתקין, are all discussing חזור. However according to פרש"י the case of סינר is חזור, but מקבלי פיתקין and לבלרי מלכות are discussing giving the item to a different recipient, nothing to do with חזור; the word אף by ר"י is not understood.