

התרומה פרק רביעי

(fol. 47d) **משנה א:** התרומה מה היו עושין בה. לוקחין בה תמידין ומוספין ונכפיהם העומר ושתי הלחם ולחם הפנים וכל קרבנות הציבור. שומרי ספחים בשביעית נוטלין שגרן מתרומת הלשכה. רבי יוסה אומר אף הרוצה מתנדב שומר חנם. אמרו לו אף אתה אומר שאין באין אלא משל ציבור:

Mishnah 1: For what was the disbursement used? One buys from it daily and *musaf* sacrifices and their libations, the *omer*¹, and the Two Breads², and the shew-bread³, and all public offerings⁴. The watchmen for aftergrowth in the sabbatical year⁵ take their wages from the disbursement from the lodge. Rabbi Yose says, he also may volunteer as unpaid trustee⁶. They told him, would you not also say that they only come from the public⁷?

1 The offering of barley grain on the 16th of Nisan to permit consumption of grain from the new harvest ; Lev. 23:9-14.

2 The two leavened breads on Pentecost, Lev. 23:17.

3 Seven breads every week, Lev. 24:5-9.

4 Including incense and public reparation offerings (Lev. 4:13-21.)

5 Since the *omer* and the Two Breads have to be produce of the Land, and no sowing is permitted in a Sabbatical, the grains have to be harvested from spontaneous aftergrowth. Fields from which such a yield is expected have to be watched lest the plants be eaten by animals or the

grains be taken by humans. In this case the watch is an essential precondition for the possibility of the offering and therefore the expenses have to be borne by the Temple.

6 Even though the unpaid trustee acquires rights to what he is watching, R. Yose holds that private property may be donated to the Temple as public offering.

7 The Sages deny that private property may be donated to the Temple as public offering. "They" are public offerings. Therefore the argument cannot be intended to convince R. Yose; rather it is a statement clarifying that they insist that only fully paid watchmen are acceptable.

(47d line 48) התרומה מה היו עושין בה כול. מה ראה זמן עצי כהנים והעם להימנות. אלא בשעה שעלו ישראל מן הגולה ולא מצאו עצים בלישכה ועמדו אילו ונתנדבו עצים משל עצמן ומסרום לציבור וקרבו מהן קרבנות ציבור. והתנו עמהן הנביאים שביניהן שאפילו לשכה מלאה עצים ועמדו אילו ונתנדבו עצים משל עצמן שלא יהא קרבן מתקרב אלא משלהן תחילה. אמר רבי אהא. דרבי יוסה היא. דרבי יוסה אמר. אף הרוצה מתנדב שומר חנם. רבי יוסי בשם רבי אילא. דברי הכל היא. מה פליגין. בגופו של קרבן. אבל במקשיירי קרבן

כל-עמא מודיי שהוא משתנה קרבן יחיד לקרבן ציבור. תני. [א]שה שעשת בתורת לבנה צריכה למסור לציבור. אמר רבי אחא. דרבי יוסי היא. דרבי יוסי אמר. אף הרוצה מתנדב שומר חנם. רבי יוסה בשם רבי אילא. דברי הכל היא. מה פליגי. בגופו שלקרבן. אבל במכשירי קרבן כל-עמא מודיי שהוא משתנה קרבן יחיד לקרבן ציבור. מתניתא פליגא על רבי יוסי. אותן תמימים נוהגין בשעת קרבן ושללא בשעת קרבן. רבי יוסה אומר. אינן נוהגין אלא בשעת קרבן. ועוד מו הדיא דתני. אמר רבי אלעזר בירבי צדוק. אנו היינו מבני סנאב בן בנמין וכל תשעה באב להיות בשבת ודחנו אותן למוצאי שבת והיינו מתעניין ולא משלימין.

2 לא | ת ולא 3 והתנו | מ והיתנו 5 דר' יוסה | תמ דר' יוסי 6 יוסי מ יוסה 7 לקרבן | מ מקרבן שעשת | ת 8 יוסה | ת יוסי 11 יוסי | מ יוסה נוהגין | ת נוהגין בהן 12 צדוק | ת יוסי אנו היינו | מ אני הייתי שעשה 8 יוסה | ת יוסי (2) 11 יוסי | מ יוסה נוהגין | ת נוהגין בהן 12 צדוק | ת יוסי אנו היינו | מ אני הייתי

None of the corrector's additions in *Ta'anit* is found in *Seqalim* or *Megillah*.

Text of B

התורה מה היו וכו'. מה ראו זמן עצי כהנים והעם למנות. אלא בשעה שעלו מן הגולה לא מצאו ישראל עצים בלישכת העצים עמדו אילו והתנדבו משל עצמן מסורים לציבור מקריבין מהן קרבן ציבור. היתנו עמיהו נביאים שביניהם שאפילו לישקה מליאה עצים ועמדו אילו והתנדבו עצים משלהן שלא יחא קרבן מתקרב אלא משלהן תחילה. אמר רבי אחא. דרבי יוסי היא. דרבי יוסי אומר. המתנדב שומר חנם. ורבי אסי בשם רבי אילא אמר. כדברי הכל היא. במה פליגי. בגופו של קרבן. אבל במכשירין של קרבן דכילי עלמא מודי דמשתנה קרבן יחיד לקרבן ציבור. כהדיא דתני. האשה שעשת בתורת לבנה צריכה שתמסרנה לציבור. אמר רבי אחא. דרבי יוסי היא. דרבי יוסי אומר. הרוצה מתנדב שומר חנם. ורבי אסי בשם רבי אילא אמר. כדברי הכל היא. במה פליגי. בגופו שלקרבן. אבל במכשירין של קרבן דכילי עלמא מודי דמשתנה קרבן יחיד לקרבן ציבור. מתניתא פליגא על רבי יוסי. אותן תמימים היו נוהגין בין בשעת קרבן בין שלא בשעת קרבן. רבי יוסי אומר. לא היו נוהגין אלא בשעת קרבן בלבד. כהדיא דתני. אמר רבי אלעזר בר צדוק. אנו היינו מבני סנאב בן בנמין וכל תשעה באב להיות בשבת ודחנוהו לאחר השבת והענינו ולא השלימנוהו.

⁹"For what was the disbursement used," etc. For what reason were the times of wood by the priests and the people to be counted¹⁰? Only that at the time when Israel returned from the Diaspora and did not find wood in the chamber, those came forward and volunteered wood from their own, donated it to the public, and used it to offer public sacrifices. The prophets among them stipulated that even if the chamber was full of wood and those came and offered and volunteered wood from their own, that the sacrifice should only be brought first from theirs¹¹. Rabbi Aḥa said, this is Rabbi Yose's, since Rabbi Yose said, also he may volunteer as unpaid trustee. Rabbi Yose¹² in the name of Rabbi Ila, it is the opinion of everybody. Where do they disagree? About the body of the offering. But for enablers of the offering everybody agrees that a private offering can be turned into public offering¹³. It was stated, a woman who made a coat for her son has to surrender it to the public¹⁴. Rabbi Aḥa said, this is Rabbi Yose's, since Rabbi Yose said, also he may volunteer as unpaid trustee. Rabbi Yose in the name of Rabbi Ila, it is the opinion of everybody. Where do they disagree? About the body of the

offering. But for enablers of the offering everybody agrees that a private offering can be turned into public offering.. A *baraita* disagrees with Rabbi Yose¹⁵: ¹⁶“Those days are observed at the time of sacrifices and not at the time of sacrifices; Rabbi Yose says, they are observed only at the time of sacrifices.”¹⁷ Also from the following¹⁶: “Rabbi Eleazar ben Rabbi Šadoq said, we were of the descendants of Senaah ben Benjamin. When the Ninth of Av fell on a Sabbath, we postponed it to the end of the Sabbath and were fasting but not completing.”¹⁸

10 This paragraph is Halakhah *Ta'aniot* 4:6 (ת), also in *Megillah* 1:2 (70c 1. 1 ff.; מ). In fact, א simply notes: “one repeats from *Ta'aniot* up to ‘and were fasting but not completing.’”

10 The reference is to Mishnah *Ta'aniot* 4:6 which lists the dates where certain families volunteered wood for the chamber where firewood for the Temple was stored. The paragraph is inserted here because it is support for R. Yose's thesis that private property can be turned into a public sacrifice.

11 Babli *Ta'anit* 28a.

12 This is R. Yose the fifth generation Amora. The reading of B (and M), R. Assi (= Yasa), is impossible since R. Ila was a student, not a teacher, of R. Yasa.

13 While holding that the firewood is ancillary, not intrinsic, to the sacrifice, they still would have to require that the two daily logs required before any sacrifices are brought to the altar (*Lev.* 6:5) to be paid for from the public purse.

14 Since the prescribed garments of a

priest are part of the establishment of the Tabernacle (*Ex.* 28:40-43), they must be public property. Babli *Yoma* 35b.

15 The Amora, speaking in the name of R. Ila.

16 Tosephta *Ta'aniot* 3:6.

17 The days enumerated on which certain families celebrated their offerings of firewood according to the Tanna R. Yose are treated as days of sacrificing. Therefore at least for him, firewood is part of the sacrifice, not ancillary, and may be given from private property as public sacrifice.

18 Their holiday was on the 10th of Av. Since the 9th of Av is the day of remembering the destruction of the Temple, his story must be dated after the destruction, when there were no longer any sacrifices. If the family holiday is so important that one pushes aside the fasting for the 9th of Av, it must be that even for the majority the offering of firewood was the equivalent of a sacrifice, not an ancillary act. Therefore R. Aḥa is justified.

47d line 67) העומר וּשְׁתֵּי הַלֶּחֶם וְלֶחֶם הַפְּנִים. מִתְּנִיתָא דְרַבִּי יִשְׁמַעְאֵל. דְרַבִּי יִשְׁמַעְאֵל אָמַר. אִין הָעוֹמֶר בָּא מִן הַסּוּרָא. תִּמְן תִּנְיִן. כָּל־קִרְבָּנוֹת הַיָּחִיד וְהַצִּיּוּר בָּאִין מִן הָאֶרֶץ וּמִחוּצָה לָאֶרֶץ. מִן הַחֹדֶשׁ וּמִן הַיָּשׁוּן. חוּץ מִן הָעוֹמֶר וּשְׁתֵּי הַלֶּחֶם. שְׂאִין בָּאִין אֶלָּא מִן הַחֹדֶשׁ וּמִן

האָרץ. רבי חונה בשם רבי ירמיה. דרבי ישמעאל היא. דרבי ישמעאל אָמר. אין העומר בא מן הסוריא. תמן תנינן. עשר קדושות הן. ארץ ישראל מקדושת מכל-הארצות. ומה היא קדושתה. שמביאים ממנה העומר והביכורים ושתיה הלחם. מה שאין מביאין בן מכל הארצות: רבי חונה בשם רבי ירמיה. דרבי ישמעאל היא. דרבי ישמעאל אָמר. אין העומר בא מן הסוריא. תמן תנינן. רבי ישמעאל אָמר. מה חריש רשות אף קציר רשות. יצא קציר העמר: שהוא מצוה. הוי מאן תנא שומרי ספיחים בשביעית נוטלין שָכְרָן מתרומת הלשכה. רבי ישמעאל. אָמר רבי יוסה. דברי הכל היא. לא מצינו בסוריא מביאין אותו מספיחין שְבָאֲרָץ יִשְׂרָאֵל. ההן עומר מהו שְׂאֵרָה לָכֵן מתחילה. רבי חיה בר אבא בעא קומי רבי מנא. לא נמצא כקומץ על השירים שאין נאָכְלִין. אָמר ליה. נעשה כחמשה דברים שהן באין בטומאה ואין נאָכְלִין בטומאה.

2 מן הסוריא | ג מסוריה היחיד | ג - והציבור | ג הציבור B הציבור היחיד ומחצה | ג ומחץ 3 שאין באין | ג שאין באים 4 חונה | ג חונא B רב חונא 5 מן הסוריא | ג מסוריה 7 חונה | ג חונא B ורב חונא 8 מן הסוריא | ג מסוריה תמן תנינן . . . יצא | ג דעתיה דר' ישמעאל דא' אי' העומ' בא מסוריא כדעתיה דא' יצא קציר | ג הקציר - | ג ר' ישמעאל כדעתיה דר' יש' אמ' שאין העומר בא מסוריה 9 מאן | ג הווי מן 10 יוסה | ג יוסי דברי B כדברי B סוריא | ג בסוריא B מסוריא מביאין אותו מספיחין | ג מביאים אותו מן הספיחים B מביאין מספיחין 11 ההן | ג אהן B הרי חיה | B חייא מנא | B מני 12 כחמשה | ג מחמשה שהן באין | B שבאין 13 אין | B ואין

“The *omer*¹, and the Two Breads², and the shew-bread.” The Mishnah¹⁹ is Rabbi Ismael’s, since Rabbi Ismael said, the *omer* is not brought from Syria²⁰.

There, we have stated:²¹ “All private and public sacrifices come from the Land and from outside the Land, from new or old [grain], except for *omer* and the Two Breads, which only come from new grain²² and from the Land.” Rabbi Huna in the name of Rabbi Jeremiah, this is Rabbi Ismael’s, since Rabbi Ismael said, the *omer* is not brought from Syria²³.

There, we have stated²⁴: “There are ten levels of holiness. The Land of Israel is holier than other lands; and what is its holiness? That one brings from it the *omer*, first fruits, and the Two Breads, which cannot be from other lands.” Rabbi Huna in the name of Rabbi Jeremiah, this is Rabbi Ismael’s, since Rabbi Ismael said, the *omer* is not brought from Syria.

There, we have stated²⁵: “Rabbi Ismael says, since sowing is a voluntary act, also harvesting is a voluntary act. This excludes harvesting the *omer*, which is a commandment²⁶.” Who is the Tanna of “the watchmen for aftergrowth in the sabbatical year take their wages from the disbursement from the lodge”? Rabbi Ismael²⁰. Rabbi Yose said, it is everybody’s opinion.

If one would not find in Syria, one would bring from the aftergrowth in the Land of Israel²⁷. Could one sow from the start for the *`omer*²⁸? Rabbi Hiyya bar Ada asked before Rabbi Mana, would he not take the fistful for leftovers than cannot be eaten²⁹? He said to him, it has a status like the five kinds which can be brought in impurity but may not be eaten in impurity³⁰.

19 The part of the Mishnah which states that the watchmen over grain for the *`omer* are paid from public funds. If it were possible to import the grain during a sabbatical year, the expense would be unnecessary and therefore forbidden.

20 Syria in matters of religious law is the area which was part of David's empire but not permanently settled by one of the Twelve Tribes. The rules of the Land do not apply biblically but the land is not ritually impure. Therefore grain for use in the Temple could be bought from there.

21 Mishnah *Menahot* 8:1. The sacrifices referred to are offerings of flour and wine.

22 This is not obvious since the *`omer* permits the profane use of new grain also from outside the Land and the Two Breads permit the use of new wheat in the Tabernacle which according to the Mishnah includes wheat imported from Syria. While the Mishnah states that grain is acceptable from outside the Land, this refers to grain from outside the Land on both sides of the Jordan and Syria only if it remained impervious to the impurity of Gentile lands (i. e., if it was guarded from any contact with water or fluids whose status is like water in this respect.)

23 And certainly not from impure lands.

24 Mishnah *Kelim* 1:6.

25 Mishnah *Ševi'it* 1:5.

26 This refers to *Ex.* 34:21: *Six days you*

may work but on the Seventh Day you must rest, from ploughing and harvesting you must rest. According to R. Ismael while this forbids any optional harvesting on the Sabbath, it implies that harvesting required by a religious commandment must be performed on the Sabbath. (Cf. *Ševi'it* Chapter 1, Notes 43 and 2.)

א adds here the one-sentence Halakhah *Ševi'it* 1:5 (Note 44).

27 While not needed every year, in a year of drought in Syria it might be obvious that one has to look for any available grain in the Land.

28 Since the verse *Lev.* 25:3 introducing the Sabbatical year combines sowing and harvesting, one could make the point that only voluntary sowing in a Sabbatical is forbidden, therefore obligatory sowing leading to obligatory harvesting is permitted.

29 Only a fistful of the grain brought for the *`omer* (a tenth of an *ephah*, about 3.8 l) is burned on the altar, the leftover has to be consumed by the priests in the Sanctuary. But produce sown in a Sabbatical is forbidden; the leftover of the flour could not be consumed.

30 The leftover has to be burned. The same would happen if all available grain and all available personnel were impure, Mishnah *Pesahim* 7:4.

(48a line 7) כיצד הוא עושה. נוטל מעות מן השולחני ונותן לקוצרין ולשומרין עד שלא יקרב העומר. מביא מעות מתרומת הלשכה ומחלקן עליו. וטבו כן. רבי אחא בשם רבי בא. כל-מה שיתן הן הן דמיו משעה הראשונה. תני. אף בפתחי אבנים כן. כיצד הוא עושה. נוטל מעות משולחני ונותן לחוצבין ולסתתין עד שלא תינתן על גבי הדימוס. [אחר כך] מביא מעות מתרומת הלשכה ומחלקן עליה. וטבא היא כן. רבי יוסה בירבי בון בשם שמואל. כל-מה שיתן הן הן דמיו משעה הראשונה.

1 הוא B הא נוטל B מביא לקוצרין ולשומרין | ג לקוצרים ולשומרים B לקוצרים ולשומרין 2
מביא | ג ומביא B הביא מעות B - הלשכה | ג הלשכה - B מעות ומחלקן B ומחלקין וטבו | ג
וטבה היא B טיבחי כן | B בן ר' יוסי בשם אחא | ג אחא בשם ר' בא B - 3 הן הן | ג הרי הן הראשונה |
ג ראשונה בפתחי | G במפתחי B בפתחי נוטל | G - B מביא מן מן | B - 4 משולחני B השולחני ונותן
B | ונותנין לחוצבין ולסתתין | ג לקצבים ולסתתים B למקבין ולסתתין תינתן | ג תנתן הדימוס | ג דימוס B
הדמוס [אחר כך] | ג - מביא | ג ומביא 5 הלשכה | B הלשכה ומחלקן B ומחלקין וטבא היא | ג וטבה
הוא יוסה | ג יוסי וטבא ... שמואל | B טיבחי בן רבי יוסי בשם ר' אחא 6 דמיו | ג דמיה B הדמים
הראשונה | ג ראשונה

How does he do it³¹? He takes coins from the money changer and gives them to the harvesters and the watchmen before the *omer* is presented. He brings coins from the disbursement from the lodge and redeems them for it³²; then it is in order³³. Rabbi Aḥa in the name of Rabbi Abba: Any which he gives are its coins from the start³⁴. It was stated: The same is the case with the stone-masons³⁵. He takes coins from the money changer and gives them to the quarry workers and the stone-cutters before it is fixed in the row³⁶. Then he brings coins from the disbursement from the lodge and redeems them for it; then it is in order. Rabbi Yose ben Rabbi Abun in the name of Samuel: Any which he gives are its coins from the start.

31 The problem is that the *sheqalim* are Temple property which can only be used to buy sacrifices. If the Temple administrator would pay workers with these monies, he would be guilty of *me'ilah*, larceny of sacred property.

32 The *omer* is presented as flour. Therefore the value of the grain and the cost of all labor used in the preparation of the offering can be added and the *sheqalim* coins redeemed on the total value of the sacrifice. The redeemed coins can then be used to liquidate the debt incurred at the

banker's.

33 The reading of B, *Rebbi Tibḥi ben Rebbi Yose*, seems to be a grotesque misreading.

33 Since everybody knows that many actions of the Temple involve payments to workers, it is presumed that as part of the organization of Jewish worship by Ezra and his successors there is a general stipulation that coins given as wages to workers employed by the Temple were given for that purpose; the expenditure is that of profane money. Using a banker is unnecessary.

(fol. 47d) **משנה ב:** פָּרָה וְשֹׁעִיר הַמִּשְׁתַּלֵּחַ וְלֶשׁוֹן שֶׁל זְהוּרִית בָּאִין מִתְרוּמַת הַלִּשְׁכָּה. כֶּכֶשׁ פָּרָה וְכֶכֶשׁ שֹׁעִיר הַמִּשְׁתַּלֵּחַ וְלֶשׁוֹן שֶׁבִין קֶרְנָיו וְאַמַּת הַפּוֹם וְחֹמַת הָעִיר וּמִגְדָּלוֹתֶיהָ וְכָל-צָרְכֵי הָעִיר בָּאִין מִשְׁיָרֵי הַלִּשְׁכָּה. אֲבָא שְׂאוּל אֵימָר כֶּכֶשׁ פָּרָה כֶּהָנִים גְּדוּלִים עוֹשִׂין אוֹתוֹ מִשָּׁל עֶצְמוֹ:

Mishnah 2: The Cow³⁴, the he-goat which is sent away³⁵, and the shiny strip³⁶ come from the money disbursed from the lodge³⁷. The ramp for the Cow³⁸, the ramp for the he-goat which is sent away³⁹, the strip bound on its horns⁴⁰, the water canal⁴¹, the city wall and its towers⁴², and all needs of the city, come from the leftovers in the lodge⁴³. Abba Shaul says, the High Priests build the ramp for the Cow at their own expense.

34 The red cow whose ashes purify the impurity of the dead, *Num.* 19.

35 The scapegoat of the day of Atonement.

36 The strip of purple wool, together with a branch of cedar and a hyssop, which the Cohen has to throw into the pyre of the burning Cow, *Num.* 19:6.

37 These are explicitly prescribed by biblical verses.

38 Leading directly from the Temple to the Mount of Olives.

39 The ramp built to shield the scapegoat while it is lead away, *Yoma* 6:4.

40 *Mishnah Yoma* 4:2, 6:6.

41 The aqueduct which supplies water to the Temple. The need for a water supply is

implicit in the biblical rules for the Tabernacle but is never explicitly mentioned.

42 By biblical rules, family sacrifices may be consumed "in the camp." The "camp" of the Temple is the walled city of Jerusalem. Therefore the integrity of the walls are a requirement of the Temple service and the necessary expenditures may be made from the Temple tax.

43 The items mentioned in this sentence are all necessary or customary parts of the Temple establishment, but are not mentioned in biblical verses. They are paid for from monies not directly used for the service of prior years.

(48a line 15) **הלכה ב:** פָּרָה וְשֹׁעִיר כּוּל'. רַבִּי שְׁמוּאֵל בַּר נַחֲמָן בְּשֵׁם רַבִּי יוֹנָתָן. שְׁלֹשָׁה לְשׁוֹנוֹת הֵן. שְׁלֹשְׁעִיר בְּסֻלֵּעַ. שְׁלִמְצוֹרַע בְּשִׁקְלָא. שְׁלִפְרָה בְּשִׁתֵּי סֻלְעִים. רַבִּי חוּנִיָּה דְּבֵרַת חוּרִין רַבִּי בָּא בַר זִבְדָּא בְּשֵׁם רַבִּי שְׁמַעוֹן בַּר חֲלִפְתָּא. שְׁלִפְרָה בְּשִׁתֵּי סֻלְעִים וּמִחְצָה. וְאִיתָא דְּמִפְקִין לִישְׁנָא. בְּעֶשְׂרָה (זוֹר) [זוֹר].

1 נחמן | B נחמני יונתן | B נתן 2 שלשעיר | B של שעיר המשתלח שלמצורע | G1 ושל מצורע בשתי | B בשני ר' חונייה דברת חורין | B - ג [ל]וא דברת חורין ר' בא | B רבי ביבא 3 חלפתא | י חלפתא B תחליפא 4 בעשרה | B בעשר GS זין BC זי

Halakhah 2: ⁴⁴Rebbi Samuel bar Naḥman in the name of Rebbi Jonathan: There are three strips. The one for the he-goat for a tetradrachma, for the sufferer from skin disease for a sheqel⁴⁵, for the Cow for two tetradrachmas. Rebbi Onias from Berat-Hauran in the name of Rebbi Abba bar Zavda in the name of Rebbi Simeon ben Ḥalaphta, for the Cow for two tetradrachmas and a half; but some express it in the formulation ten (*zin*)⁴⁶ [*zuz*].

44 From *Yoma* Halakhah 4:2 (י).

tetradrachma are 10 *denarii*. Since an

45 For the purification ceremony of the person healed from skin disease (*Lev.* 14:4,6).

Augustean *denar* was $\frac{1}{96}$ of a Roman pound (silver), 10 *zin* are 9.6 *denarii*.

46 Defined in *Terumot* 10:7 (Note 80) as $\frac{1}{100}$ of a (probably Roman) pound. 2.5

The corrector's reading *zuz* (*denar*) is from B.

משנה ג: מותר שירי לשבכה מה היו עושין בהן. לוקחין בהן יינות שמנים וסלתות והשכר להקדש דברי רבי ישמעאל רבי עקיבה אומר אין משהבירין בשל הקדש אף לא מושל עניים:

Mishnah 3: What did one do with the leftover in the lodge⁴⁷? One buys with it wine, oil, and fine flour,⁴⁸ and the gain is the Temple's, the words of Rebbi Ismael. Rebbi Aqiba says, one gains neither for the Temple nor funds for the poor⁴⁹.

47 What is left from the Temple tax at the end of the fiscal year.

must hold that this is a self-financing non-profit operation.

48 For public sacrifices these are paid for from the coins disbursed from the lodge. Wine, oil, and flour for private sacrifices are bought from the Temple as explained in the next Chapter. R. Ismael holds that the original funds for this operation come from the surplus of the Temple tax; R. Aqiba

49 He holds that the Temple may not be involved in commercial transaction. He objects to investing funds destined for the poor not only since avoidance of loss is more important than possible gain but also that money for the poor must be available at all times for possible emergencies.

הלכה ג: רב יהודה בשם שמואל. תלמידי חכמים המלמדין את הפתנים הילכות שחיטה הילכות קבלה הילכות זריקה נוטלין שכתן מתרומת הלשכה. רבי אחק בר רדיפה בשם אימי. מבקרי מומי קדשים נוטלין שכתן מתרומת הלשכה. רבי אחא רבי תנחום

בר חייה בשם רבי שמלאי. מגיהי ספר העצרה נוטלין שְכָרָן מתרומות הלשכה. גידול בר בנימן בשם אסי. שני דיני גזילות נוטלין שְכָרָן מתרומות הלשכה. שמואל אמר. נשים האורגות בפרכות נוטלות שְכָרָן מתרומות הלשכה. רב חונה אמר. מתרומת בֶּדֶק הבית. מה ופליג. שמואל עבד לה קָרָבָן. רב חונה עבד לה כְּבִינִין. אמר רבי חזקיה. תנא רבי יהודה גְרוּגְרוֹת. הקטורת וְכָל־קֶרְבָּנוֹת הַצִּיּוֹר בָּאִין מִתְּרֻמַּת הַלֶּשֶׁכָּה. מִזְבֵּחַ הָהָב וְכָל־כְּלֵי שֶׁרֶת בָּאִין מִמּוֹתְרֵי נִסְכִּים. מִזְבֵּחַ הָעוֹלָה וְהַהִיכָל וְהַעֲזָרוֹת בָּאִין מִשְׁרֵי הַלֶּשֶׁכָּה. חוץ לַעֲזָרוֹת בָּאִין מִלִּשְׁכַּת בֶּדֶק הַבַּיִת. וְהָא תִּנִּי. אֲבֵי הַמִּזְבֵּחַ הַהִיכָל וְהַעֲזָרוֹת מוֹעֲלִין בָּהֶן. וְכִי יֵשׁ מְעִילָה בְּשִׁירִים. אֵלָּא כְּרַבִּי מֵאִיר. דְּרַבִּי מֵאִיר אָמַר. מוֹעֲלִין בְּשִׁירִים. אָמַר רַבִּי חִינְנָא. כָּלֹם אָמַר רַבִּי מֵאִיר אֵלָּא בְּתוֹךְ שַׁנְתּוֹ. וְהָכָא חוץ לַשַּׁנְתּוֹ אֵין קִיָּמִין.

1 רב יהודה | B אמר רב חונה שמואל | B | ר' שמואל 2 הילכות קבלה | B - הילכות | B והילכות הלשכה | B הילשכה | B | ר' רב 3 בשם אמי | B אמר הלשכה | B הילשכה | B | ר' ר' 4 חייה | B חייה העזרה | B עזרא נוטלין | B נוטלים הלשכה | B הילשכה גידול | B גדול | B בר' בנימן | B מנינו 5 אסי | B | אסי א' גזילות | B גזירות | B | נוטלין מתרומת | B משירי 6 נוטלות | B נוטלין הלשכה | B הילשכה חונה | B חונה א' - מתרומת | B מלשכת | B מלשכת | B מא ופליג | B ופליג | B עבד | B עבד 7 חונה | B חונה עבד | B עבד | B כבניין | B כבניין | B תנא | B תנא | B תני הקטורת | B קטרת 8 באין | B באים (2) הלשכה | B הילשכה 9 מזבח העולה ... הלשכה | B - באין | B באים הלשכה | B הילשכה מלשכת | B מלשכת 10 והא | B - ההיכל | B וההיכל | B מועלין | B מועלים | B בהן | B בהם | B בשיריים 11 אלא | B לא | B דר' מאיר א' | B דא' | B מועלין | B מועלים | B אמר | B חננא | B אמר | B חונה | B אלא | B לא 12 והא | B וכן | B הכא

Halakhah 3: Rav Jehudah in the name of Samuel⁵⁰: The scholars who teach the priests the rules of slaughter, rules of receiving, rules of sprinkling, take their wages from the disbursement from the lodge⁵¹. Rabbi Isaac bar Redifa in the name of Immi: The inspectors of defects of *sancta*⁵² take their wages from the disbursement from the lodge. Rabbi Aḥa, Rabbi Tanḥum bar Ḥiyya in the name of Rabbi Simlai: Those who correct the scroll of the Temple courtyard⁵³ take their wages from the disbursement from the lodge. Giddul bar Benjamin in the name of Assi: The two judges of robberies⁵⁴ take their wages from the disbursement from the lodge. Samuel said, women who are weaving the gobelins⁵⁵ take their wages from the disbursement from the lodge; Rav Huna said, from disbursements for repair of the House. How do they disagree? Samuel makes it a sacrifice, Rav Huna makes it part of the building. Rabbi Ḥizqiah said that Rabbi Jehudah Dried Figs⁵⁶ stated: The incense and all public sacrifices come from the disbursement from the lodge. The golden altar and vessels for the Service come from the excess of libations⁵⁷. The altar for elevation sacrifices, the building, and the courtyards⁵⁷ come from the leftover in the lodge. The outside of the courtyards come from

the lodge for maintenance of the House⁵⁹. But was it not stated: One commits *me'ilah* with stones of the Temple or the courtyards⁶⁰. How can one commit *me'ilah* with leftovers? But it must follow Rabbi Meïr, for Rabbi Meïr said, one commits *me'ilah* with leftovers. Rabbi Ḥinena said, Rabbi Meïr said this only during its year. But here we are after its year⁶¹.

50 If the reading of B were “Rav Huna in the name of Samuel”, it would need consideration as *lectio difficilior*. But since it is the impossible “Rav Huna in the name of Rabbi Samuel”, it has to be disregarded. א is defective at this place. In the Babli *Ketubot* 106a the statement is attributed to Rav Giddul in the name of Rav.

51 Since every week another group of Cohanim comes to serve, which may bring with them young inexperienced members of the group, they are permanently occupied. Babli *Ketubot* 106a.

52 Since the animals chosen for the daily sacrifice have to be without defects (*Num.* 28:3), there have to be competent daily inspections. Babli *Ketubot* 106a.

53 From which the High Priest reads on the Day of Atonement and which is used to standardize the texts of copies of the Torah. The reading of B, “Ezra’s scroll”, has to be rejected. Babli *Ketubot* 106a.

54 This is the translation of the text here and in Mishnah *Ketubot* 13:1. But it seems that the meaning of the term is that of the reading of א and most Babylonian sources here and in *Ketubot* 13, דָּנֵי גְזֵירוֹת “judges of decisions,” i. e., appeals judges. The reading here is the result of an exchange of liquids. The legal principles attributed to these judges in *Ketubot* Chapter 13 all refer

to matters of civil, mostly matrimonial, law. Babli *Ketubot* 105a.

55 For use in the Temple Hall, to separate between the holy and the holiest of holies.

56 It is impossible to determine his time of activity.

57 This statement endorses the position of R. Ismael in the Mishnah, that the operation to provide wine, oil, and flour to those who bring private sacrifices, routinely provides a surplus to the Temple.

58 The stone walls enclosing the Temple precinct and the stone floor.

59 The place where the funds are kept which were given as vows to the Temple.

60 *Me'ilah* is defined (*Lev.* 5:15) as “larceny committed on the Eternal’s *sancta*”, where the usual interpretation is that *sancta* are only sacrifices and their appurtenances; cf. Halakhah 3:4, Note 66.

61 Money is a *sanctum* whose misuse is *me'ilah* only if there is the possibility that it will be used to buy sacrifices. As explained earlier, any leftovers after disbursement still must be kept together since they might be needed if the money disbursed later was not sufficient for the Temple’s needs. But once a new year started, the old *sheqalim* cannot be used to buy sacrifices of any kind; they cannot cause *me'ilah*. The *baraita* is rejected. Babli *Qiddušin* 54a.

(48a line 34) אָמַר רַבִּי חִזְקִיָּה. תֵּנָא רַבִּי יְהוּדָה גְּרוּגְרוּת. הַשּׁוֹלְחָן וְהַמְנוּחָה וְהַמְזֻבָּחוֹת וְהַפְּרָכוֹת מַעֲכָבִין אֶת הַקֶּרֶן. דְּבַרִּי רַבִּי מֵאִיר. וְחֻכְמִים אוֹמְרִין אֵין לָךְ מַעֲכָב אֶת הַקֶּרֶן אֶלָּא הַפִּיּוֹר וְהֵן בְּלִבָּד. וְלֹא אָמַר כֵּן. רַבִּי אֱלֵעָזָר וְרַבִּי יוֹסִי בֶן חֲנִינָה תִּרְיֵהוּן אֹמְרִין. כָּל־הוּ דְּכִתִּיב נִכַּח מַעֲכָב. צֻלַּע אֵינוּ מַעֲכָב. וְאָמַר רַבִּי שְׁמוּאֵל בְּרַחֲמֵי בְּשֵׁם רַבִּי יוֹנָתָן. וְאֶפִּילוּ צֻלַּע מַעֲכָב. וְאָמַר רַבִּי אִילָא בְּשֵׁם רַבִּי שְׁמוּאֵל בְּרַחֲמֵי בְּשֵׁם רַבִּי נַחֲמָן. וְאֶפִּילוּ שִׁמָּה מַעֲכָבִת. אָמַר רַבִּי חֲנִנָּה. כָּאֵן בְּעֻבּוּדוֹת שְׂבָפָנִים וְכָאֵן בְּעֻבּוּדוֹת שְׂבָחוּץ.

1 תנא | B תני יהודה | B יהודה בר והמנוחה | ג והמנוחות 2 הקרבן | B הקרבנות לך | B לה הכיור והכן | B כיור וכו' 3 ולא אמר כן | ג ולכן B לא כדין ור' | ג ר' אמרין | B אמרון כל הן דכת' | B - נכח | ג נכח 4 אינו | ג אסר ואמ' | ג ומר B - בר נחמן | ג ר' סימון ואפי' | ג אפילו B אמר אפי' ואמר | B - 5 ואמר ר' | ג ומר ר' B ור' אילא | ג לא ר' שמואל בר נחמן | B ר' נחמני ואפי' | ג אפילו שימה | G שימה | G שימה B שומא כאן | BG כן בעבודות | B עבודות 6 וכאן | BG וכן בעבודות | B עבודות

Rebbi Hizqiah said that Rebbi Jehudah Dried Figs⁶² stated: The table, the candelabrum, the altars⁶², and the gobelins⁵⁵ obstruct the sacrifice, the words of Rebbi Meir. But the Sages say, the sacrifice is only obstructed by the wash basin and its base⁶³. Otherwise, Rebbi Eleazar and Rebbi Yose ben Hanina both say, everywhere “opposite”⁶⁴ is written it is obstructive, “on the side”⁶⁵ is not obstructive, but Rebbi Samuel bar Nahman in the name of Rebbi Jonathan said, even “on the side” is obstructive, and Rebbi Ila in the name of Rebbi Jonathan said, even “putting”⁶⁶ is obstructive. Rebbi Hananiah said, here for service inside, there for service outside⁶⁷.

62 Since obviously in the absence of an altar there can be no sacrifice, the reference is to the golden incense altar in the Sanctuary, not the large altar outside. Babli *Zevahim* 62a.

63 Since the priests are forbidden to officiate unless they wash hands and feet from the Temple wash basin on its base, *Ex.* 30:17-21, 40:30-32.

64 The following refers to the commandment how the Tabernacle had to be organized (*Ex.* 26:32-37; 40:1-16) and the report how this was executed ((*Ex.* 40:1-17-33.) The candelabrum was put

“opposite the table”. (*Ex.* 40:24).

65 The table has to be put “on the North side”, the candelabrum “on the South side”; (*Ex.* 26:35).

66 Moses “put” all the furniture of the Tabernacle at its correct places (*Ex.* 40:18 ff.)

67 Since one may bring sacrifices on the altar without a Temple (*Mishnah Idiut* 8:6), for any offering on the large altar one only needs the wash basin and its base. But for any offering inside the Sanctuary, e. g., the daily incense burning, all pieces have to be available at the correct places.

48a line 41) אָמַר רַבִּי חֲנִינָה. שְׁחִיצִית גְּדוּלָּה הָיְתָה בְּבִנְי כְּהָנִים גְּדוּלִּים. שְׂוִיתָר מִשְׁשִׁים כִּכְרֵי זָהָב [הָיוּ מוֹצִיאִין בָּהּ]. הָיָה כְּבִשָּׁה שֶׁלְפָּרָה עוֹמֵד וְלֹא הָיָה אֶחָד מֵהֶן מוֹצִיא פָּרְתוֹ בְּכִבְשׁוֹ שֶׁלְחִתְבִּירוֹ אֶלָּא סוֹתְרוֹ וּבוֹנָה אוֹתוֹ מִשְׁלֹ. הָתִיב רַבִּי עֻלָּא קוֹמִי רַבִּי מָנָא. וְהָא תִּנִּי. שְׁמַעוֹן הַצִּדִּיק שְׂתִי פְרוֹת עָשָׂה. לֹא בְּכֶשֶׁשׁ שֶׁהוֹצִיא אֶת זֶה הוֹצִיא אֶת זֶה. אֵית לָךְ מִימֶר. שְׁמַעוֹן הַצִּדִּיק שִׁיחָךְ הָיָה. מִי כְדוֹן. עַל שֵׁם מַעְלָה הָיָה בְּפָרָה סִילְסוּל הוּא בְּפָרָה. תִּנִּי. זִיזִין וְכַתְלִין הָיוּ יוֹצֵאִין מִיכָן וּמִיכָן כְּדִי שֶׁלֹּא יֵצִאוּ הַכְּהָנִים וְיִטְמְאוּ.

1 חנינה | B חנין | שחצית | B שחצות | גדולה | ג דגולות | שויתר | G שיתר | B שייתר | B שמוציאין בה יותר מששים ככרי | ג ששים מכיכרי | G משישים | B מששים | ככרי | B כיכרי | זהב | B כסף | 2 [...] BG - כבשה | B כיבשה | היה | B שלא יהא | בכבשו | B בכיבשו | 3 התיב | B היתבי | קומי | B קדם | ר' מנא | B רבי מני | תני | B תנינא | 4 לא | B ולא | מימר | B למימר | 5 שיחך | B ג שיחך | מיי כדון | B אלא | B מהו כדן | על שם | B משום | מעלה | B דמעלי | היא | B הוא | סילסול | B סולסול | זיזין וכתלין | B זיזים וכתלים | B הזיזין וכתלים | 6 מיכן ומיכן | B מכאן ומכאן | יציאו | B יצאו | ויטמו | B ויטמאו | ויטמאו

⁶⁸Rebbi Hanina said, there was much arrogance among the sons of the High Priests, for more than 60 talents of gold⁶⁹ [did they spend on it.]⁷⁰ If the ramp for the Cow was still standing, no one was leading out his cow on the other's ramp, but he tore it down and was building it anew. Rebbi Ulla objected before Rebbi Mana: Was it not stated that Simeon the Just made two Cows; on the ramp on which he took out one he did not take out the other⁷¹. Could you say that Simeon the Just was arrogant? What about it? Because they gave eminence to the Cow, ornaments they made for the Cow. It was stated: Ledges and walls were on both sides so that the priests could not look down and become impure⁷².

68 Discussion of the statement of Abba Shaul in Mishnah 2, that the ramp for the Cow (including a bridge over the Kidron valley) was made new every time on the High Priest's expense. It is implied that the High Priest either oversaw the ceremony himself or appointed one of his sons.

69 That would be 180'000 *sheqel* or 360'000 *denar*. One should take note of the reading of B, "silver" instead of "gold".

70 Addition by the corrector, an adaptation to the formulation in B; not supported by any Genizah fragment.

71 Since he was in office for 40 years,

after about 35 years probably not much of the first ramp was still in existence.

72 Since the Kidron valley was used as burial ground at least from First Temple times, if the Cohen was not protected by the wooden floor of the ramp which separated him from the "tent impurity" emanating from the graves, the Cohen would become severely impure and not able to conduct the ceremony. Therefore one made it impossible for the Cohen to lean out over the railings. The scribe's reading. "could not look down" is preferable over that of the other sources, "leave". Tosephta *Parah* 3:7.

(fol. 47d) **משנה ד:** מותר תרומה מה היו עושין בה. רקועי זהב ציפוי לבית קדשי הקדשים. רבי ישמעאל אומר מותר תפירות קיין המזבח. מותר תרומה לכלי שרת. רבי עקיבא אומר מותר תרומה קיין המזבח. מותר נסכים לכלי שרת. רבי חנניה סגן הכהנים אומר מותר נסכים קיין המזבח מותר תרומה לכלי שרת. זה וזה לא היו מודין בפירות:

Mishnah 4: What did they use the leftover of the disbursement⁷³ for? Gold sheets coating for the Holiest of Holies. Rabbi Ismael said, the leftover of produce⁷⁴ is for adornment of the altar⁷⁵, the leftover of the disbursement is for Service vessels⁷⁶. Rabbi Aqiba says, the leftover of the disbursement is for adornment of the altar, the leftover of the libations⁷⁷ is for Service vessels. Rabbi Hanania the executive officer of the Cohanim says, the leftover of the libations is for adornment of the altar, the leftover of the disbursement is for Service vessels. Neither of them did agree about produce⁷⁸.

73 If money was left in the boxes into which it was taken from the lodge at the time when new money was disbursed, the amount of new money was not reduced but the old money was put into a separate account to be used for other needs of the Temple.

74 The gain made by the Temple in providing flour, oil, and wine, for private sacrifices.

75 It is given to the gift account to buy elevation sacrifices in times when the altar otherwise would have been idle.

76 The vessels used in sacrificial acts.

77 As explained in Halakhah 5, the income from the trading arrangements with the suppliers to the Temple.

78 R. Hanania agrees with R. Aqiba that the Temple has to provide the produce at cost and cannot make a gain on this service.

(48a line 49) **אֵלָא אִם רָצָה יְהֵא הֶהָפֵסד שְׁלוֹ. וְהַשְׁכָּר לְהַקְדֵּשׁ מוֹתָר. כִּהְדָּא בַר זִמְינָא אֶת פְּקִיד גְּבִיָּה מְדַל דִּיתְמִין. אֶתָּא וְשָׂאֵל לְרַבִּי מָנָא. אָמַר לֵיהּ. אֵין בְּעִית דִּי הֶפְסְדָּה דִּידָךְ וְאֶגְרָא דִּתְרוּכּוֹן שָׂרִי. רַבִּי חִיָּה בַר אֶדָּא אֶתְפְּקִיד גְּבִיָּה מְדַל דִּיתְמִין וְעָבַד כּוֹ.**

1 שלו | ג שלא כהדא | G כהדא זמינא | G זמינא 2 אתפקד | ג איתאפסד G אתאפקד דיתמין | ג דאיתמין בעית | G את בעי הפסדה | ג דיהפסדה ואגרא | ג ואגרת G ואגרה 3 דתרוכון | G דתריכון איתפקד | ג אתאפקד G דיתמין | ג דאיתמין

Text of B

אֵלָא אִם כּוֹ רָצָה יְהֵא הֶהָפֵסד שְׁלוֹ שְׁכָר לְהַקְדֵּשׁ מוֹתָר. כִּהְדָּא דְּבַר זִמְנָה אֵיתְפְּקִיד גְּבִיָּה מְלָאִי דִּיתְמִי. וְעָבַד כּוֹ.

⁷⁹Only if he wants that the loss be his and the gain for the endowment⁸⁰ it is permitted⁸¹. As the following: Bar Zemina was appointed for property of orphans. He came and asked Rabbi Mana, who told him, if you want that the

loss be yours and the gain be split among you it is permitted. Rabbi Ḥiyya bar Ada was appointed for property of orphans and acted in this way.

Text of B

Only if he wants that the loss be his and the gain for the endowment it is permitted. As the following: Bar Zemina was appointed for merchandise of orphans and acted in this way.

79 This does not belong to Mishnah 4 but is the discussion of the statement of Rabbi Aqiba that one does not invest capital of funds for the poor.

80 While originally this means “property of the Temple”, it is used in the sense common in the Middle Ages, “endowment of a fund for the poor”, “welfare fund.” The text shows that this includes property

administered by a guardian for the benefit of underage orphans.

81 As agreement between adults, that the risk of investments is borne solely by the agent but any gain split between agent and investor, it is forbidden as hidden payment of interest. But if the investment is for a charitable fund for minor orphans it is permitted. Babli *Bava meṣia* 70a.

משנה ה: מותר הקמורת מה היו עושין בה מפרשין ממנה שכר האומנין ומחללין אותה על מעות האומנין ונותנין אותה לאומנין בשכרן והוזרין ולקחין אותה מתרומה חדשה. ואם בא חדש בזמנו לקחין אותה מתרומה חדשה ואם לאו מן הישנה:

Mishnah 5: What did one do with the excess of incense⁸²? One sets apart the artisans’ wages and redeems them on the artisan’s money; one gives them to the artisans as their wages and then buys them back from them from the new disbursement⁸³. If the new money is available at its time one takes them from the new disbursement, otherwise from the old⁸⁴.

82 Which from the start was intended to be sufficient for an intercalary year and therefore had guaranteed leftovers in a regular year.

83 Since the expenses of the Temple service each year have to be paid by the *sheqalim* of that year, one cannot simply take the leftover as incense for the next year. On the other hand, since profane use of incense prepared in the proportions

prescribed for Temple service is a deadly sin (*Ex.* 30:38), the incense cannot be used outside of the Temple. One takes money from the *sheqalim* to pay the artisans who prepare the next year’s batch of incense, then uses this money in order to redeem the incense and make it profane, a possible object of trade. Then one pays the artisans in kind with the incense, and since they could do nothing with it one buys the

incense back from them with the money earmarked to this effect. Then the artisans are paid at the same time the incense for the new year is paid with money from the new Temple year starting at Nisan 1.

84 Since the insistence on new money is customary, not biblical, if the new Temple tax was not collected by Nisan 1, one takes the money from the prior disbursement to effect the trade.

48a line 53) **הלכה ה:** כולה דרבי ישמעאל [היא]. רבי חייה בר יוסף פתר מתניתה. מותר פירות שֶׁכָּר לְהַקְדִּישׁ. מותר נְסֻכִּים זוֹ סָאָה רְבִיעִית. רבי יוחנן פתר מתניתה. מותר פירות זוֹ סָאָה רְבִיעִית. מותר נְסֻכִּים לְבִירוּצִים. וְלִית לִיה לְרַבִּי חִיְהָה בַּר יוֹסֵף לְבִירוּצִים. אָמַר רַבִּי חִזְקִיָּה. מֵה דְנָפֵל לְסָאָה רְבִיעִית נָפֵל לְבִירוּצִים. עַל דַּעְתִּיהָ דְרַבִּי חִיְהָה בַּר יוֹסֵף נִחָא. אֵין מִשְׁתַּפְּרִין מִשְׁלֵהֶקֶדֶשׁ אֶף לֹא מִשְׁלֵעֲנִים. לְפִיכָּךְ זֶה נֹזֵחַ לֹא הָיוּ מוֹדִין בְּפִירוֹת. עַל דַּעְתִּיהָ דְרַבִּי יוֹחָנָן קָשְׁיָא. תִּנְיִן עֲמָדוֹ מִשְׁלֵשׁ יִסְפֵּק מֵאַרְבַּע. וְתִנְיִן. זֶה נֹזֵחַ לֹא הָיוּ מוֹדִין בְּפִירוֹת. לֹא הָיוּ מוֹדִין בְּפִירוֹת בְּקִיץ לְמִנְחָה. אֲבָל מוֹדִין הָיוּ בְּכָלִי שָׁרָת. עַד כְּדוֹן בִּירוּצֵי צִיבּוֹר. וְאַפִּילוּ בִירוּצֵי יָחִיד. וְלֹא נִמְצְאוּ כָּלִי שָׁרָת בְּאֵין מִשְׁלֵשׁ יָחִיד. כִּהְדָּא דְתַנִּי. אִשָּׁה שָׁעֲשֶׂת בְּתוֹנֶת לְבָנָה צְרִיכָה לְמִסּוֹר לְצִיבּוֹר. עַד כְּדוֹן בִּירוּצֵי לַח. וְאַפִּילוּ בִירוּצֵי גִבְשׁ. כִּהֵּיא דְתַנְיָן תַּמָּן. הִנְסֻכִּים שֶׁקִּדְּשׁוּ בְּכָלִי וְנִמְצָא הֶחָבֵץ פְּסוּל. אִם יֵשׁ שֵׁם זָבַח אַחֵר יִקְרְבוּ עִמּוֹ. וְאִם לֹא יִפְסְלוּ בְּלִינָה.

BC 1 (היא) GSא - 2 פירות | ג הפירות (2) שֶׁכָּר | גא השֶׁכָּר | להקדש | ג להקדש 3 נְסֻכִּים | ג נסכין לְבִירוּצִים | ג לְבִירוּצִין (2) לִיה | ג - 4 נָפֵל | ג נָפֵל לְבִירוּצִים | ג לְבִירוּצִין נִחָא | ג נִחָה 5 לְפִיכָּךְ | ג לְפִיכָּךְ כֵּן צֶרֶךְ מִימֵר מוֹדִין | ג מוֹדִים 6 קָשְׁיָא | ג קָשְׁיָא מִשְׁלֵשׁ | ג מִשְׁלֵשׁ B מֵאַרְבַּע מוֹדִין | ג מוֹדִים 7 מוֹדִין | ג מוֹדִים 7 בְּקִיץ | ג בְּקִיץ 8 כִּהְדָּא | ג כִּהְדָּא 10 לֹא | ג לֹא לִי יִפְסְלוּ | ג יִפְס

Text of B

דְרַבִּי שְׁמַעוֹן הָיָא. דְרַבִּי חִיְהָה בַּר יוֹסֵף פִּתְרָא לֵה מִתְנִיתָא. מוֹתֵר פִּירוֹת שֶׁכָּר לְהַקְדִּישׁ. מוֹתֵר נְסֻכִּים לְסָאָה רְבִיעִית. רַבִּי יוֹחָנָן פִּתְרָא מִתְנִיתָא. מוֹתֵר פִּירוֹת סָאָה רְבִיעִית. מוֹתֵר נְסֻכִּים לְבִירוּצִים. וְהָא לִית לִיה לְרַבִּי חִיְהָה בַּר יוֹסֵף לְבִירוּצִין. אָמַר רַבִּי חִזְקִיָּה. כְּמֵה דְנָפֵל סָאָה רְבִיעִית. דַּעְתִּיהָ דְרַבִּי חִיְהָה בַּר יוֹסֵף נִחָא. וְהָא תִנְיָנָא זֶה נֹזֵחַ לֹא הָיוּ מוֹדִין בְּפִירוֹת. דַּעְתִּיהָ דְרַבִּי יוֹחָנָן קָשְׁיָא. וְהָא תִנְיָנָא עֲמָדוֹ הִסְפִּיחוּ מֵאַרְבַּע. וְהָא וְתִנְיָן. זֶה נֹזֵחַ לֹא הָיוּ מוֹדִין בְּפִירוֹת. לְקִיץ הִמְנִיחָ. אֲבָל הָיוּ מוֹדִין לְפִירוֹת בְּכָלִי שָׁרָת. עַד כְּדוֹן בִּירוּצֵי צִיבּוֹר. אֲבָל בִּירוּצֵי יָחִיד כִּהְדָּא דְתַנִּי. הָאִשָּׁה שָׁעֲשֶׂת בְּתוֹנֶת לְבָנָה צְרִיכָה שְׁתַּמְסְרָנָה לְצִיבּוֹר. עַד כְּדִי בִירוּצֵי לַח. אֲפִילוּ בִירוּצֵי גִבְשׁ. דְתַמָּן תִּנְיָנָא. נְסֻכִּים עַד שֶׁקִּדְּשׁוּ.

Halakhah 5: It⁸⁵ is all Rabbi Ismael's. Rabbi Hiyya bar Joseph explains the Mishnah: The leftover of produce⁷⁴ is the gain of the Temple⁸⁶; the leftover of libations is the fourth *seah*⁸⁷. Rabbi Johanan explains the Mishnah, The leftover of produce is the fourth *seah*; the leftover of libations is the overflow⁸⁸. Does Rabbi Hiyya bar Joseph not have overflow? Rabbi Hizqiah said, what is counted for the fourth *seah* is overflow⁸⁹. The opinion of Rabbi Hiyya bar Joseph is understandable. "one does not gain neither for the Temple nor funds for the poor," therefore "neither of them did agree about produce." The opinion of Rabbi Johanan is difficult. We have stated⁸⁷: "if the going rate was three, he has to deliver for four" and we have stated, "neither of them did

agree about produce.” They did not agree about produce to adorn the altar; they did agree for Service vessels⁹⁰. So far overflow of public {sacrifices}. Even overflow for private {sacrifices}. Would then not Service vessels come from private donations? It is as it was stated, “a woman who made a coat for her son has to surrender it to the public.”⁹¹ So far the overflow of fluids; even the overflow of dry goods; as that which we stated⁹², “in case libations were sanctified in a vessel when the sacrifice was found disqualified, if there is another sacrifice they should be brought with it; otherwise they will become disqualified by staying overnight.”

Text of B

⁹³It is all Rebbi Simeon’s, for Rebbi Ḥiyya bar Joseph explains the Mishnah: The leftover of produce is the gain of the Temple; the leftover of libations is for the fourth *seah*. Rebbi Johanan explains the Mishnah, the leftover of produce is for the fourth *seah*; the leftover of libations is for overflow. Does Rebbi Ḥiyya bar Joseph not have overflow? Rebbi Hizqiah said, what is counted for the overflow is fourth *seah*. The opinion of Rebbi Ḥiyya bar Joseph is understandable. since it was stated “neither of them did agree about produce.” The opinion of Rebbi Johanan is difficult since we have stated “if the providers have to deliver four”, and have we not stated, “neither of them did agree about produce to adorn the altar;” but they did agree about produce for Service vessels. So far overflow of public {sacrifices}. But overflow for private {sacrifices.} as it was stated, “a woman who made a coat for her son has to surrender it to the public. So far the overflow of fluids; even the overflow of dry goods; as that which we stated, “in case libations” until “were sanctified.”

85 The statement in Mishnah 4 about the leftover of produce, whose existence is denied by R. Aqiba and R. Hanina.

86 The money made by the Temple in selling for a profit flour, oil, and wine, for flour offerings and libations.

87 As explained in Mishnah 11, the Temple does not have to hedge its purchases of produce because it is protected against changes in the market place at all times. If the Temple contracted for flour at the rate of 3 *seah* per tetradrachma and at the time of delivery it was 4 *seah* per tetradrachma, the provider has to deliver 4. But if the contract was for 4 and the price went up and now

stands at 3 for a tetradrachma, the provider has to deliver 4 while the Temple will sell at the going rate.

88 In order to avoid the sin of *me'ilah*, the suppliers of produce of all kinds to the Temple have to deliver slightly more than the measure which was contracted for, while the Temple will distribute this product for private libations and flour offerings at the exact measure. The small differences will add up to a considerable amount during a full year; this kind of gain is approved also by the opponents of R. Ismael.

89 He holds that the reason that the Temple always is the beneficiary of changes

in the market place also is to serve as a precaution against *me'ilah* infractions; both kinds of additions have the same status.

90 Since Mishnah 11 is unanimous opinion, the opponents of R. Ismael cannot deny that the Temple always makes money which has to be used for definite purposes.

91 This was discussed earlier, Note 14.

92 Mishnah *Menahot* 7:4. This is not directly overflow but a third way in which the Temple accumulates a surplus. If a sacrifice was brought and the offerer bought the libations including the flour offering from the Temple, if then these flour

offerings could not be used because the sacrifice was disqualified, the priests in charge may use the flour, etc., for the next sacrifice. In this case the Temple is paid twice for the same produce; Tosephta *Menahot* 10:8 states that the money accumulated in this way is given to the gift account to buy elevation offerings for the idle altar.

93 A text unintelligible except as abbreviation of the Yerushalmi text. For the remainder of this Chapter there are no Genizah texts.

48a line 66) וְלֹא נִמְצָא הַהֶקְדָּשׁ מִתְחַלֵּל עַל הַהֶקְדָּשׁ. כִּיצַד הוּא עוֹשֶׂה. אָמַר רַבִּי שְׁמַעוֹן בֶּר פְּרֻסָּה. מֵבִיא מַעוֹת וּמַחֲלָקוֹ עַל הַבְּנִינִין וּמֵבִיא קְטוֹרֶת וּמַחֲלָקוֹ עֲלֵיהֶן וְנוֹתְנִין אוֹתָן לְאֹמְנִין בְּשֶׁכֶר. אוֹתָן הַמַּעוֹת מֵהַיֵּשָׁה בָּהֶן. רַבִּי אֹמֵר. אֹמֵר אֲנִי. יִינָתְנוּ לְבֵית גֶּרְמוֹ וּלְבֵית אֲבִטִּינֹס שְׁהִיוּ בְּקִיָּאִין בְּפִיטוֹס הַקְטוֹרֶת וּבְמַעֲשֵׂה לֶחֶם הַפְּנִים. אָמַר רַבִּי שְׁמוּאֵל בֶּר רַב. וְהוּא שְׁהִיו חִיבִין לָהֶן מַעֲשֵׂה רֵאשׁוֹנָה. רַבִּי חִיָּה בֶר בָּא בְּעִי. לֹא הָיוּ חִיבִין לָהֶן מַעוֹת מִשְׁעָה הֶרֶאשׁוֹנָה. אֵתָא רַבִּי בָּא בְּשֵׁם רַבִּי חִיָּה בְּשֵׁם רַבִּי יוֹחָנָן. מְקִיִּצִין בָּהֶן אֶת הַמִּזְבֵּחַ. רַבִּי בָּא בֶר כֶּהֱן בְּעָה קוֹמִי רַבִּי יוֹסֵה. מַחֲלָפָה שִׁיטְתִּיהָ דְּרַבִּי חִיָּה בֶר בָּא. תָּמָן צְרִיכָה לִיהּ וְהָכָא פְּשִׁיטָא לִיהּ. הָן דְּצְרִיכָה לִיהּ. בְּכָלִי שָׂרָת. הָן דְּפְשִׁיטָא לִיהּ. בְּקִיָּץ לַמִּזְבֵּחַ.

Text of B

עַל הַקּוֹדֶשׁ. רַבִּי שְׁמַעוֹן בֶּרֶבִי בִּסְנָא. מֵבִיא מַעוֹת וּמַחֲלָקוֹ עַל הַבְּהֵמָה מֵבִיא קְטוֹרֶת וּמַחֲלָקוֹ עֲלֵיהּ וְנוֹתְנִין אוֹתָן לְאֹמְנִין אוֹתָן מַעוֹת מֵהַיֵּשָׁה בָּהֶן. אֹמֵר רַבִּי. אֹמֵר אֲנִי. יִינָתְנוּ לְבֵית גֶּרְמוֹ לְבֵית אֲבִטִּינֹס שְׁהִיו פְּקִיעִין בְּפִיטוֹס הַקְטוֹרֶת וּבְמַעֲשֵׂה לֶחֶם הַפְּנִים. אָמַר רַבִּי שְׁמוּאֵל בֶּר רַב יִצְחָק. הוּא שְׁהִיו חִיבִין עֲלֵיהֶן מִשְׁעָה רֵאשׁוֹנָה. אֵתָא רַבִּי בִּיבָא וְרַבִּי חִיָּה בְּשֵׁם רַבִּי יוֹחָנָן. מְקִיִּצִין בָּהֶן אֶת הַמִּזְבֵּחַ. חִבִּיבָא בֶר כֶּהֱן שְׁאִילִי לְרַבִּי יוֹסֵה. מַחֲלָפָה שִׁיטְתִּיהָ דְּרַבִּי חִיָּה בֶר אָבָא. תָּמָן צְרִיכָא לִיהּ וְהָכָא פְּשִׁיטָא לִיהּ. הָא דְּצְרִיכָה לִיהּ. לְקִיָּץ הַמִּזְבֵּחַ. הָן דְּפְשִׁיטָא לִיהּ. בְּכָלִי שָׂרָת.

⁹⁴Would not Temple property be redeemed by Temple property? What does he do? Rabbi Simeon bar Carsana said, he brings coins and redeems them for the building⁹⁵; brings incense and redeems it for them, and gives it⁹⁶ to the artisans as their wages. What should be done with those coins? Rabbi says, I am saying that they should be given to the family Garmu and the family Eutinos who were experts in compounding the incense and in making the shew-bread⁹⁷. Rabbi Samuel bar Rav <Isaac⁹⁸> said, only if they were due to them beforehand⁹⁹. Rabbi Hiyya bar Abba asked, what if they were not due

beforehand? There came Rabbi Abba in the name of Rabbi Ḥiyya in the name of Rabbi Joḥanan: One uses them to adorn the altar⁷⁵. Rabbi Abba bar Cohen asked before Rabbi Yose: The opinion of Rabbi Ḥiyya bar Abba seems inverted. Here it is questionable for him; there it is obvious for him¹⁰⁰. He told him, where it is questionable for him, for Service vessels; where it is obvious for him, to adorn the altar.

Text of B

⁹³By Temple property? Rabbi Simeon ben Rabbi Bisna: he brings coins and redeems them for an animal; brings incense and redeems it for them, and gives it to the artisans as their wages. What should be done with those coins? Rabbi says, I am saying that they should be given to the family Garmu and the family Eutinos who were experts in compounding the incense and in making the shew-bread. Rabbi Samuel bar Rav Isaac said: Only if they were due to them beforehand. There came Rabbi Vivus and Rabbi Ḥiyya in the name of Rabbi Joḥanan: One uses them to adorn the altar. Ḥabiba bar Cohen asked before Rabbi Yose: The opinion of Rabbi Ḥiyya bar Abba seems inverted. Here it is questionable for him; there it is obvious for him. Where it is questionable for him, to adorn the altar; where it is obvious for him, for Service vessels.

94 Here starts the discussion of Mishnah 5. What is gained by redeeming incense with Temple money, which is not profane?

95 Both the scribe's text and that of B are difficult to understand. While it is accepted that the Temple is built as profane building and only sanctified when completed (Babli *Me'ilah* 14a), once it is sacred it cannot be redeemed. If the money is legitimately paid for a sacrificial animal, it belongs to the owner of the animal and is no longer available for Temple use. Tosephta *Me'ilah* 1:23 reads: "A worker who did work for the Temple for a *mina* or two may not say, give me this cow for a *mina* or this garment for 50 {denar} since Temple property cannot be redeemed for work but only for coins. What does one do? One takes the wages of the artisans {from the *sheqalim*} and redeems them on the artisans' money, gives them to

the artisans as their wages; then buys them back from the disbursement of the lodge to pay back the workers for the coins they earlier gave to the Temple." A similar text seems to be intended here.

96 The incense.

97 Cf. Mishnah *Yoma* 3:11.

98 Name added from B.

99 Since Temple money can only become profane for actual debts incurred by the Temple. Advance payments are not possible.
100 How can he ask when he himself teaches the answer which his teacher had given? He does not question that a possible use is to give the money to the gift account; he questions whether this is the only possible use.

The inverse order in B must be a scribal error.

(148b line 1) דאָתפּלגון. פּיטמא בחולין. רבי יוסה בירבי חנינא אָמר. פּסולה. רבי יהושע בן לוי אָמר. כְּשִׁירָה. מַה טַּעמָא דְרַבִּי יוֹסֶה בִּירְבִּי חֲנִינָה. קוֹדֵשׁ הִיא. שְׁתֵּהא הַוִּיתָה בְּקוֹדֵשׁ. מַה טַּעמָא דְרַבִּי יוֹשֻׁעַ בֶּן לֵוִי. קוֹדֵשׁ הִיא. שְׁתֵּהא בָּאָה מִתְּרוּמַת הַלֵּישְׁכָּה. אָמַר רַבִּי יוֹסֶה בִּירְבִּי בּוֹן. אֲתֵיָא דְרַבִּי יוֹסֶה בֶּן חֲנִינָה כְּשִׁמוּאַל וְדַרְבִּי יוֹשֻׁעַ בֶּן לֵוִי רַבִּי יוֹחָנָן. דִּתְיִנּוּ. הַמְקִידֵשׁ נְכָסָיו וְהָיוּ בְּהוֹן דְּבָרִים רַאווִין לְכָל־קִרְבָּנוֹת צִיבוֹר. רַבִּי יוֹחָנָן אָמַר. קִטּוֹרֶת. אָמַר רַבִּי הוֹשְׁעָנָה. תִּפְתָּר בְּאוֹמֶן מִשְׁלָבִית אֲבִטִּינֶס שֶׁהָיָה נוֹטֵל בְּשִׁכְרוֹ קִטּוֹרֶת. וְדַרְבִּי יוֹסֶה בִּירְבִּי חֲנִינָה כְּשִׁמוּאַל. דָּאָמַר רַב הוֹנָא בְּשֵׁם שְׁמוּאַל. מִכְתָּשֶׁת עָשׂוֹ אוֹתָהּ כְּכָל שְׁרֵת לְקוֹדֵשׁ. אָמַר רַבִּי יוֹסִי בִּירְבִּי בּוֹן. אָמַרְהָ רַב הוֹנָה קוֹמִי רַבִּי יוֹסִי. דְּבַר שְׁקֻדָּשׁ בְּכָל שְׁרֵת נִפְדָּה. אָמַר לֵיהּ. וְלֹא דְשִׁמוּאַל הִיא. וְשִׁמוּאַל אָמַר. קֵל הוּא בְּמוֹתָר. דִּאֲתַפְּלִגוֹן. הוֹתִירוֹ תַּמִּימִים. שְׁמוּאַל אָמַר. נִפְדִּים כְּתַמִּימִים. רַבִּי יוֹחָנָן אָמַר. נִפְדִּין כְּכִסּוּלֵי הַמּוֹקֵדֶשִׁין. הוֹתִירוֹ שְׁעִירִים. עַל דַּעְתִּיהָ דְשִׁמוּאַל. אִם עוֹלָה נִפְדִּית לֹא כָל־שִׁבּוֹן חֲטָאֵת. עַל דַּעְתִּיהָ דְרַבִּי יוֹחָנָן. אָמַר רַבִּי זְעוּרָא. יָרְעוּ. אָמַר רַבִּי שְׁמוּאַל בַּר רַב יִצְחָק. מְקִיִּצִין בְּהוֹן אֶת הַמְּזֻבָּח. וְקָשָׁא. יֵשׁ חֲטָאֵת קִרְבָּה עוֹלָה. אָמַר רַבִּי יוֹסֶה. שְׁנִיָּא הִיא. שְׁאֵין קִרְבָּנוֹת צִיבוֹר נִקְבָּעִין אֱלָא בְּשִׁחִיטָה. אָמַר רַבִּי חֲנִינָה. תְּנִי בֵּית דִּין הוּא עַל הַמּוֹתָרוֹת שֶׁיִּקְרְבוּ עוֹלוֹת.

Text of B

מוֹתָר קִטּוֹרֶת מָה הָיוּ עוֹשִׂין. דִּאֲתַפְּלִגוֹן. פּיטמא בחולין. רבי יוסי בר' חנינא אָמר. פּסולה. רבי יהושע בן לוי אָמר. כְּשִׁירָה. דַּעְתִּיהָ דְרַבִּי יוֹסִי בַר חֲנִינָה. קוֹדֵשׁ הִיא. כְּדִי שְׁתֵּהא הַוִּיתָה בְּקוֹדֵשׁ מִתְּרוּמַת הַלֵּישְׁכָּה. דַּעְתִּיהָ דְרַבִּי יוֹשֻׁעַ בֶּן לֵוִי. קוֹדֵשׁ הִיא. שְׁתֵּהא הַבָּאָתָה בְּקוֹדֵשׁ. אֲתֵיָא דְרַבִּי יוֹסִי בַר חֲנִינָה כְּשִׁמוּאַל אֲתֵיָא דְרַבִּי יוֹשֻׁעַ בֶּן לֵוִי רַבִּי יוֹחָנָן. דִּהָא תִינָיָא. הַמְקִידֵשׁ נְכָסָיו וְהָיוּ בְּהוֹן דְּבָרִים רַאווִין לְקִרְבָּנוֹת צִיבוֹר. א"ר יוֹחָנָן וְקִטּוֹרֶת. אָמַר רַבִּי הוֹשְׁעָנָה. תִּפְתָּר בְּאוֹמֶן שֶׁל בֵּית אֲבִטִּינֶס הָיָה נוֹטֵל בְּשִׁכְרוֹ קִטּוֹרֶת. אֲתֵיָא דְרַבִּי יוֹסִי בַר חֲנִינָה כְּשִׁמוּאַל. וְהָאָמַר רַב הוֹנָא בְּשֵׁם שְׁמוּאַל. מִכְתָּשֶׁת לֹא עָשׂוֹ אוֹתָהּ כְּלִי שְׁרֵת דָּאָמַר רַבִּי יוֹסִי בִּירְבִּי אֲבִין. אָמַרְהָ ר' זְעוּרָא קָמִיה דְרַבִּי הוֹנָא דְבַר שֶׁהוּא קוֹדֵשׁ בְּכָל נִפְדָּה. לֹא שְׁמוּאַל הִיא. דָּאָמַר שְׁמוּאַל. קֵל הוּא בְּמוֹתָר. דִּאֲתַפְּלִיג. הוֹתִירוֹ תַּמִּימִין. שְׁמוּאַל אָמַר. נִפְדִּין כְּתַמִּימִין. רַבִּי יוֹחָנָן אָמַר. נִפְדִּין כְּכִסּוּלֵי הַמּוֹקֵדֶשִׁין. הוֹתִירוֹ שְׁעִירִים. דַּעְתִּיהָ דְשִׁמוּאַל דָּאָמַר שְׁמוּאַל. אִם עוֹלָה נִפְדִּית כְּלִי־שִׁבּוֹן חֲטָאֵת. דַּעְתִּיהָ דְרַבִּי יוֹחָנָן אָמַר ר' זְעוּרָא. קָשָׁא. יֵשׁ חֲטָאֵת שְׁקִרְבָּה עוֹלָה. אָמַר רַבִּי יוֹסִי שְׁנִיָּא הִיא. שְׁאֵין קִרְבָּנוֹת צִיבוֹר נִקְבָּעִין אֱלָא בְּשִׁחִיטָה. אָמַר רַבִּי חֲנִינָה. תְּנִי בֵּית דִּין הוּא עַל הַמּוֹתָרוֹת שֶׁיִּקְרְבוּ עוֹלוֹת.

¹⁰⁰As they disagreed: If it¹⁰¹ was compounded as profane, Rabbi Yose ben Hanina said, it is disqualified; Rabbi Joshua ben Levi said, it is qualified. What is Rabbi Yose ben Hanina's reason? *It is holy*¹⁰², that it shall be brought into the Sanctuary. What is Rabbi Joshua ben Levi's reason? *It is holy*, that it shall be brought from the disbursement from the lodge. Rabbi Yose ben Rabbi Bun said, Rabbi Yose ben Hanina's parallels Samuel and Rabbi Joshua ben Levi's Rabbi Johanan, as we have stated, "if one dedicated his property to the Temple and there were objects appropriate as public offerings¹⁰³." Rabbi Johanan said, incense. Rabbi Hoshia said, explain it about an artisan of the family Eutinos who took incense as his wages. And Rabbi Joshua ben Levi's is like Samuel, as Rav Huna said in the name of Samuel, they made the mortar

a vessel to sanctify. Rabbi Yose ben Rabbi Abun said, Rabbi Ḥuna said this before Rabbi Yose: something sanctified in a vessel may be redeemed. He said to him, is that not Samuel's? Since Samuel said, one is lenient in the case of leftovers. As they disagreed: If unblemished animals were left over, Samuel says, they are redeemed unblemished. Rabbi Johanan said, they are redeemed as disqualified *sancta*. Leftover he-goats, in Samuel's opinion if elevation sacrifices are redeemed, a purification sacrifice so much more. In Rabbi Johanan's opinion? Rabbi Ze'ira said, they shall graze. Rabbi Samuel bar Rav Isaac said, one uses them to adorn the altar. This is difficult. May a purification sacrifice be brought as elevation sacrifice? Rabbi Yose said, there is a difference, for public sacrifices are determined only by slaughter. Rabbi Hananiah said, it is a stipulation of the Court that all leftovers should be brought as elevation sacrifices.

Text of B

What did they do with leftover incense? As they disagreed: If it was compounded as profane, Rabbi Yose ben Ḥanina said, it is disqualified; Rabbi Joshua ben Levi said, it is qualified. In Rabbi Yose ben Ḥanina's opinion, *it is holy*, that it shall be made in the Sanctuary from the disbursement from the lodge. In Rabbi Joshua ben Levi's opinion, *it is holy*, that it shall be brought into the Sanctuary. Rabbi Yose ben Ḥanina's parallels Samuel and Rabbi Joshua ben Levi's Rabbi Johanan, as we have stated, "if one dedicated his property to the Temple and there were objects appropriate as public offerings." Rabbi Johanan said, incense. Rabbi Oshaia said, explain it about an artisan of the family Eutinos who took incense as his wages. Rabbi Joshua ben Levi's parallels Samuel, as Rav Ḥuna said in the name of Samuel, they did not make the mortar a vessel of sacred service. Rabbi Yose ben Rabbi Abbin said, Rabbi Ze'ira said this before Rabbi Huna: something sanctified in a vessel may be redeemed. Is that not Samuel's? Since Samuel said, one is lenient in the case of leftovers. As they disagreed: If daily sacrifices were left over, Samuel says, they are redeemed unblemished. Rabbi Johanan said, they are redeemed as disqualified *sancta*. Leftover he-goats, in Samuel's opinion if elevation sacrifices are redeemed, a purification sacrifice so much more. In Rabbi Johanan's opinion? Rabbi Ze'ira said, they shall graze. This is difficult. Does there exist a purification sacrifice which is brought as elevation sacrifice? Rabbi Yose said, there is a difference, for public sacrifices are determined only by slaughter. Rabbi Hananiah said, it is a stipulation of the Court that all leftovers should be brought as elevation sacrifices.

100 This is a copy from *Yoma* 5:1, explained there in Notes 12-30. The introductory sentence is missing, but is partially present in B. The question is, why does the Mishnah prescribe that leftover incense should be redeemed and used as

payment of the artisans. Since it is a biblical decree (*Lev.* 27:10) that unblemished animals dedicated as sacrifices cannot be redeemed, would it not be reasonable to assume that sacrificial objects sanctified in a Service vessel cannot be redeemed? If one

accepts this, a second question arises. Was the incense prepared in a Service vessel and therefore is sanctified from the start, or does only the daily portion become sanctified when it is filled into a Service vessel, and the leftovers are intrinsically redeemable as Temple property?

101 The incense.

102 There is no such verse; similar verses about incense would be *Ex. 30:36, most holy it shall be for you, Ex. 30:37, holy it shall be for you. Babli Keritut 6a.*

103 Mishnah 6.

(fol. 47d) **משנה ו:** המקדיש נכסיו והיו בהן דברים ראויין לקרבנות הציבור ינתנו לאומנין בשכרן דברי רבי עקיבא. אמר לו בן עזאי אינה היא המידה אלא מפרישין מהן שכר האומנין ומחללין אותן על מעות האומנין ונותנין אותן לאומנין בשכרן וחוזרין ולקחין אותן מתרומה חדשה:

Mishnah 6: If somebody gives his property to the Temple¹⁰⁴ and in it there were items usable for public sacrifices¹⁰⁵, they shall be given to the artisans as their wages, the words of Rabbi Aqiba. Ben Azzai said to him, this is not they way¹⁰⁶, but from it one sets apart the artisans' wages and redeems it on the artisan's money; one gives it to the artisans as their wages and then buys it back from them from the new disbursement⁸³.

104 The Temple is supposed to sell the property and to use the proceeds for its needs. As Temple property, the proceeds are under the laws of *me'ilah*.

105 Which cannot be redeemed, cf. Note

100.

106 Since Temple property cannot be given for wages, Tosephta *Me'ilah* 1:23, Note 95. One has to apply the rules of Mishnah 5 in their entirety.

(48b line 19) **הלכה ו:** המקדיש נכסיו והיו בהן דברים ראויין לכל־קרבנות ציבור. רבי יוחנן אמר. קטורת. אמר רב הושעיה. תיפתר באומן משלביט אבטינס שהיה נוטל בשכרו קטורת. מה טעמיה דבן עזאי. שאין ההקדש מתחלל על המלאכה אלא על המעות.

1 ראויין B הראויין לכל קרבנות ציבור B לגבי המזבח 2 קטורת B קטרת (2) אמ' רב הושעיה B ר' יהושע אמר 3 שאין ההקדש B אין הקדש

Halakhah 6: "If somebody gives his property to the Temple and in it there were items usable for any public sacrifices." Rabbi Johanan said, incense. Rabbi Hoshai said, explain it about an artisan of the family Eutinos who took

incense as his wages. What is Ben Azzai's reason? For Temple property cannot be redeemed by work, only by coins.

(fol. 47d) **משנה ז:** המקדש נכסיו והיתיה בהן בהמה ראויה על-גבי המזבח זכרים ונקבות. רבי אליעזר אומר זכרים ימכרו לצרכי עולות ונקבות ימכרו לצרכי זבחי שלמים ודמיהן יפלו עם שאר נכסים לבדק הבית.

Mishnah 7: If somebody gives his property to the Temple¹⁰⁴ and in it there was an animal fit for the altar¹⁰⁷, males or females. Rabbi Eliezer says, males should be sold to those who need an elevation offering¹⁰⁸, and females be sold to those who need well-being offerings, and the revenue together with the remainder be for upkeep of the Temple.

107 An unblemished bovine, sheep, or goat, which may not be redeemed, *Lev.*

27:10. Since they were given to the Temple to be sold, the easiest way to satisfy the will of the donor and the rules is to sell the

animals as sacrifices to those who have vowed a sacrifice.

108 Who in contrast to well-being offerings must be male (*Lev.* 1:3,10).

(48b line 23) **הלכה ז:** תמן תנינן. יש בקדשי בדק הבית ששטם הקדשות לבדק הבית. הקדש לבדק הבית חל על הכל ומועלין בגידוליהן ואין בהן חנייה לפניהם: אמר רבי חנניה דרבי ליעזר היא. דתנינן. המקדש נכסיו והיתיה בהן בהמה ראויה על-גבי המזבח זכרים ונקבות. רבי ליעזר אומר. זכרים ימכרו לצרכי עולות ונקבות ימכרו לצרכי זבחי שלמים ודמיהן יפלו עם שאר נכסים לבדק הבית. אמר רבי יוחנן. טעמיה דרבי ליעזר. ואיש קנידש את-ביתו קודש לוי. מה אנו קנימין. אם בבית דירה. כבר כתוב אם המקדש יגאל את-ביתו. אלא כן אנו קנימין. במקדש נסכיו. מיכן ששטם הקדשות לבדק הבית.

1 תנינן | B תנינא יש | B ויש 2 הקדש בדק הבית חל | B וחלי 3 ליעזר | B אלעזר דתנינן | B דתנינא ראויה | B הראויה 4 ליעזר | B אליעזר לצרכי | B לצרכי ימכרו לצרכי | B לזבחי 5 ליעזר | B אליעזר 6 לוי | B לה' מה | B במה כבר כת' | B הרי כבר נאמר יגאל את ביתו | B - 7 כן | B במה נסכיו | B את נסכיו מיכן | B מיכאן

Halakhah 7: There we have stated¹⁰⁹: “There is about gifts for the upkeep of the Temple that unspecified gifts to the Temple are for the upkeep of the Temple. Sanctification for the upkeep of the Temple falls on everything¹¹⁰, and *me'ilah* applies to what grows from it¹¹¹, and priests have no usufruct from it.” Rabbi Hanania said, this is Rabbi Eliezer's, as we have stated: “If

somebody gives his property to the Temple and in it there was an animal fit for the altar, males or females. Rabbi Eliezer says, males should be sold to those who need an elevation offering, and females be sold to those who need well-being offerings, and the revenue together with the remainder be for upkeep of the Temple¹¹².” Rabbi Johanan said, the reason of Rabbi Eliezer : *If a man dedicate his house holy to the Eternal*¹¹³. How do we hold? If for a dwelling, it already is written, *if the dedicator redeem his house*¹¹⁴. Therefore we hold that he dedicates his property. From here that unspecified dedications to the Temple are for the upkeep of the Temple¹¹⁵.

109 Mishnah Temurah 7:2.

110 Anything of value can be donated to the Temple.

111 Not only growth from seeds donated but all income from the principal are protected by *me'ilah* laws as is the original donation.

112 Since the Mishnah starts “if somebody gives his property,” this means it is unspecified, given to the Temple to use it as it sees fit, and R. Eliezer says that all proceeds go to the upkeep of the Temple.

113 Lev. 27:14.

114 Lev. 27:15.

115 Verse 14 states that if a person dedicates his house, a priest has to determine its value. V. 15 the notes that if the donor wants to regain his house, he has to pay 125% of the value. Since it is assumed that a dwelling is always needed, the donation of a house could have been described in one sentence, combining valuation and redemption. Since the verses are split, it is understood that also property not used as dwelling is included and is given to produce money for the Temple, not the priests (in contrast to agricultural property, vv.21).

רבי זעורה רב חונה בשם רב. פליגי במקדיש נסקיו. אבל במקדיש עדרו (48b line 32) כל-עמא מודיי שהוא למזבח. רבי בא רב חונה בשם רב. מה פליגי. במקדיש עדרו. אבל במקדיש נסקיו כל-עמא מודיי שהוא לבדק הבית. על דעתיה דרבי זעורה ניהא. וקשנא על דרבי בא. בהמה לא למזבח היא. בהמה למזבח היא. ולמה סתם האיש הזה. שהוא כאמר. לא זהו אלא לבדק הבית. רבי יוחנן אמר. לא שנייא. היא המקדיש נסקיו היא המקדיש עדרו. היא המחלוקת.

רב חונה בשם רב רבי אבהו בשם רבי יוחנן. קדשי בדק הבית שפודין תמימין יצאו לחולין. מתניתא אמרה כן. וילדו וחלבן מותר לאחר פדיונם. רבי חזקיה בשם רב חסדא. תיפתר שפודין תמימין והוימו. רבי יוסה בשם רב חסדא. מתניתא אמרה כן. וילדו וחלבן אסור לאחר פדיון. רבי חזקיה בשם רבי יוסה. קדשי בדק הבית שפדיון תמימים יצאו לחולין. אין תימר. לא יצאו לחולין. היאך קדשי המזבח חליו על קדשי בדק הבית.

Text of B

אמר רבי יוחנן ועירא ורב הונא בשם רב. במה פליגין במקדיש נסקיו. אבל המקדיש את עדרו קל-עמא מודי לבדק הבית. על דעתיה דרבי יוחנן לא שניא. היא המקדיש נסקיו היא המקדיש עדרו היא הממלוקת. רבי אבא בשם רבי אבהו בשם רבי אבהא. קדשי בדק הבית שפדו תמימין נצאו לחולין. ואים תאמר. לא נצאו לחולין. היאך קדשי מזבח חליו על קדשי בדק הבית. ועוד מן הדא. הותרו תמימים ימכרו לגבי מזבח ואם תאמר לא נצאו לחולין. היאך קדשי מזבח חליו על קדשי בדק הבית.

Rebbi Ze'ira, Rav Huna in the name of Rav: They disagree¹¹⁶ about one who gives his property to the Temple. But if he gives his flock to the Temple, everybody agrees that it is for the altar¹¹⁷. Rebbi Abba, Rav Huna in the name of Rav: Where do they disagree? About one who gives his flock to the Temple, but if he gave his property to the Temple, everybody agrees that it is for the upkeep of the Temple¹¹⁸. The opinion of Rebbi Ze'ira can be understood¹¹⁹. It is difficult for Rebbi Abba. Is an animal not for the altar? An animal is for the altar. But why did this man not specify? It is as if he said, it only should be for the upkeep of the Temple. Rebbi Johanan said, there is no difference. The disagreement is both about one who gives his property to the Temple as about one who gives his flock to the Temple¹¹⁹.

Rav Huna in the name of Rav, Rebbi Abbahu in the name of Rebbi Johanan: *Sancta* given for the upkeep of the Temple which were redeemed unblemished become profane¹²⁰. A Mishnah says so¹²¹, “their offspring and their milk are permitted after their redemption.” Rebbi Hizqiah in the name of Rav Hisda: Explain it if they were redeemed unblemished and then became defective. Rebbi Yose in the name of Rav Hisda: Does the Mishnah say so¹²¹? “Their offspring and their milk are forbidden after their redemption.” Rebbi Hizqiah in the name of Rebbi Yose: *Sancta* given for the upkeep of the Temple which were redeemed unblemished become profane. If you are saying they did not become profane, how could the sanctity of the altar fall on *sancta* given for the upkeep of the Temple¹²³?

Text of B

Rebbi Johanan said, Ze'ira and Rav Huna in the name of Rav: Where do they disagree? About one who gives his property to the Temple. But if he gives his flock to the Temple, everybody agrees that it is for the upkeep of the Temple. In the opinion of Rebbi Johanan there is no difference. The disagreement is both about one who gives his property to the Temple as about one who gives his flock to the Temple.

Rebbi Abba in the name of Rebbi Abbahu in the name of Rebbi Aha: *Sancta* given for the upkeep of the Temple which one redeemed unblemished become profane. If you are saying they did not become profane, how could the sanctity of the altar fall on *sancta* given for the upkeep of the Temple? And also from the following: “If unblemished animals were

left over, they shall be sold for altar purposes.” If you are saying they did not become profane, how could the sanctity of the altar fall on *sancta* given for the upkeep of the Temple¹²⁴?

116 R. Eliezer in Mishnah 7 and R. Joshua in Mishnah 8.

117 The animals should not be sold for the benefit of the Temple to people who need sacrificial animals but be directly used as elevation offerings of the Temple in times of need. The only animals to be sold are the blemished ones.

118 As explained in the preceding paragraph.

119 Since an animal becomes a sacrifice only by a dedication, the animals given to the Temple in a will, while becoming subject to the laws of *me'ilah* as Temple property, are not sacrifices and *Lev. 27:9-10* does not apply to them. The disagreement between RR. Eliezer and Joshua is purely about rabbinic rules and these apply equally to both cases.

120 While dedicated unblemished animals cannot be redeemed and cannot revert to profane status, animals willed to the Temple are not in this category as explained in the preceding Note. While selling the animals to be used as sacrifice is the prescribed proceeding, if the rules are not followed and they are sold for profane use the sale is valid on condition that the Temple receive its money.

121 Mishnah *Hulin* 10:2. The Mishnah states that blemished animals which were dedicated as sacrifices never become

intrinsically holy; if they are redeemed they are fully profane, their offspring and their milk is profane (first quote). If they were validly dedicated and later developed a blemish, they have to be redeemed and used as profane food, but cannot totally lose their sacred status; they cannot be used for work nor are their offspring and their milk permitted (second quote, also *Temurah* 7:1.)

122 If willing one's property to the Temple were a genuine dedication, the animal which was unblemished at the time of donation but later developed a defect never could regain full profane status. Therefore the rule only is possible if the position of R. Johanan (Note 119) is adopted.

123 Since what is dedicated for one category of *sancta* cannot be changed to another, both R. Eliezer and R. Joshua must agree that the sale of the animal by the Temple makes it profane; the dedication of the buyer is the valid dedication of a profane animal.

124 This sentence added to the truncated text of B repeats the prior argument. Animals which are leftovers are animals bought with *sheqel* money but not used at the end of the tax year. Since these animals become dedicated only at the moment they are used (end of the text for Note 100), their status as far as dedication goes is identical to that of animals willed to the Temple.

38b line 46) בְּעָלֵי מוֹמֵי קְדוּשַׁת הַמִּזְבֵּחַ חָלָה עָלֵיהֶן. לֵיָדָא מִיָּלָה. לְגִיזָה וְלַעֲבוּדָה. הַפְּרִישׁ נִקְיָבָה לְעוֹלָתוֹ וְלַפְסָחוֹ וְלֶאֱשָׁמוֹ עוֹשָׂה תְּמוּרָה. רַבִּי שְׁמַעוֹן אוֹמֵר. לְעוֹלָתוֹ עוֹשָׂה תְּמוּרָה. לַפְסָחוֹ וְלֶאֱשָׁמוֹ אֵינוֹ עוֹשָׂה תְּמוּרָה. רַבִּי שְׁמַעוֹן בֶּן יְהוּדָה אוֹמֵר מִשּׁוּם רַבִּי שְׁמַעוֹן. לְעוֹלָתוֹ

ולפסחו ולאשמו אינו עושה תמורה. אמר רבי יוחנן. טעמיה דרבי שמעון. שכן מצאנו נקיבה בעוף כשירה לבוא עולה. [ו]אמר רבי יוחנן. טעמיה דרבי שמעון. אם מין במינו הוא חלוק עליו לא כל-שכן מין בשאינו מינו. אי זהו מין במינו שהוא חלוק עליו. כהדא דתני. אשם בן שנה הביא בן שנים יצא. בן שנים והביא בן שלש לא יצא. אמר רבי יוחנן. רבי שמעון ורבי יהושע שניהם אמרו דבר אחד. כמה דרבי יהושע אמר. נקיבה לעולה לא קדשה אלא הקדש דמים. בן רבי שמעון אמר. נקיבה לעולה לא קדשה אלא הקדש דמים. אין תימר. קדשה הקדש גוף ירעו. אמר רבי. אני רואה את דברי רבי שמעון בפסחא שפא הקדש פסחא בן שלמים. ולא אראה דברי רבי שמעון באשם שפא הקדש אשם בן עולה. אמר רבי אבין. אם הקדש פסחא בן שלמים גופו קרב שלמים. אם הקדש אשם בן עולה אין גופו קרב עולה. מאי כדון. ההין אמר. הקדש דמים קדש. וההין אמר. הקדש גוף קדש.

1 המזבח | B מזבח | לידא מילה | B לולד' לחלבה | 2 ולפסחו | B לפסחו עושה | B אינה עושה | 3 בן | B בר | 4 אינו | B אינה | 5-4 אמ' ר' יוחנן ... עולה | B - | 5 מין במינו היא | B מינו | 6 לא | B - | בשאינו | B ושאינו מין במינו שהוא | B מנייה | דתני | B דתני | אשם | B אמ' אשם | 7 הביא | B והביא | שנים | B שנה שמעון | B יהושע | 8 יהושע | B שמעון | שניה | B - | כמה | B - | הקדש | B להקדש | 9 ר' שמעון אמ' | B א"ר שמעון | נקיבה | B נקבה | הקדש | B להקדש | אין תימר | B אם תאמר | קדשה | B קדש | קידש | קדושת | 10 אני רואה | B רואה אני | הקדש | B הקדש | בא | B - | ולא | B ואינו | 11 אראה | B רואה את | הקדש | B הקדש | אבין | B בן | 12 גופו קרב | B גופה קרב | אם | B ואם | הקדש | B גופו | 13 מאי כדון | B מהו כדון | ההין | B ההן | אמ' | הקדש | דמים | קדש | B הקדש | דמי | אמ' | הקדש | גוף | קדש | B הקדש | גופו קדש

The sanctity of the altar falls on defective animals. In which respect? For shearing and work¹²⁵. “¹²⁶If somebody dedicated a female for his elevation offering, or his *Pesah*, or his reparation offering, it effects substitution. Rabbi Simeon says, for his elevation offering it effects substitution; for his *Pesah* or his reparation offering it does not effect substitution.”¹²⁷ Rabbi Simeon ben Jehudah says in the name of Rabbi Simeon, neither for his elevation offering, nor his *Pesah*, nor his reparation offering, does it effect substitution.” Rabbi Johanan said, the reason of Rabbi Simeon is that we find that a female is qualified as elevation offering of a bird¹²⁸. [And]¹²⁹ Rabbi Johanan said, the reason of Rabbi Simeon¹²⁰ is, if there are differences in its own kind, so much more if it is not its own kind. What are differences in its own kind? As it was stated¹²¹, “a yearling as reparation offering, and he brought one of two years, he satisfied his obligation; a two-year old as reparation offering, and he brought one of three years, he did not satisfy his obligation”. Rabbi Johanan said, Rabbi Simeon and Rabbi Joshua said the same. As Rabbi Joshua said, a female as elevation offering is sanctified only for its money's worth¹²², so Rabbi Simeon¹²³ said, a female as elevation offering is sanctified only for its

money's worth. If you would say that they are *sancta* as to their body, they should graze¹²⁴. "Rebbi said, I agree with Rebbi Simeon about the *Pesah*; could the *Pesah* be brought as a well being offering? But I do not agree with the words of Rebbi Simeon for reparation offerings; could a reparation offering be brought as an elevation offering?"¹²⁵ Rebbi Abbin said, in case a *Pesah* be brought as a well being offering, its body is brought as well-being offering; in case a reparation offering be brought as an elevation offering, its body cannot be brought as elevation offering. What about it? In one case one says, it is sanctified for its money's worth; in one case one says, it is sanctified in its body¹²⁶.

125 It is sinful to dedicate a defective animal to the altar. The question is whether such a dedication is effective at all. The statement here shows that the animal has to be treated according to the rules of an animal dedicated unblemished which later developed a defect (Note 121). B correctly adds prohibition of its offspring or its milk.

126 Tosephta *Pesaḥim* 9:19, *Temurah* 2:5; Babli *Temurah* 19b/20a. The text of B in the anonymous statement, "does not effect substitution", is a scribal error as shown by the later text in B.

The reference is to *Lev.* 27:10, that it is forbidden to make a substitution for a dedicated animal, but if such a substitution was made, both the original animal and its substitute are *sancta*. Therefore "to effect substitution" implies "the original dedication is valid." Everybody agrees that even if the dedication is void as dedication for the altar, it is valid as a gift of the animal or its value for the upkeep of the Temple.

127 This is known only as a quote in the Babli, *Temurah* 20b.

128 Male animals are prescribed for four-legged elevation sacrifices, *Lev.* 1:3,10,

but not for birds, 1:14 (*Sifra Wayyiqra I Parshata* 6(2,5). Argument missing in B.

129 Corrector's addition, unwarranted.

130 This refers to the interpretation of R. Simeon ben Jehudah, that R. Simeon declares the dedication of a female as elevation sacrifice as void.

131 We have three different readings. The ms. text, if a yearling is required (as for the impure *nazir*, *Num.* 6:12) and he brings a two year old, it is acceptable, but a three-year old for a two-year old is not. The text of B, if one vowed a yearling as reparation sacrifice and brought one of two years it is acceptable, but one of three years is not. (This must refer to reparation sacrifices where the age is not prescribed.) Then there is the text of the Babli sources, Tosephta *Zevaḥim* 1:2, *Menahot* 48b, *Temurah* 19b, that in every case where the year is wrong the animal is disqualified. The Babli text is the most rational but this can be no reason to emend the Yerushalmi according to the Babli.

132 Since in the next Mishnah he requires that male animals in an estate willed to the Temple be taken as elevation offerings, but

females be sold and the monies used to buy elevation sacrifices. The same dedication which makes the males sacrifices only gives the females' money's worth to the Temple.

133 In the interpretation of R. Simeon ben Jehudah.

134 As all animals dedicated as a sacrifice for which they cannot be used they should be put out to graze until they develop a defect and then be sold.

135 End of the Tosephta (Note 126), referring to the first version of R. Simeon's statement..

Since the *Pesaḥ* sacrifice after Passover automatically becomes a well-being offering, which may be female, the statement of R. Simeon must refer to

Pesaḥ before the 14th of Nisan, where no change is possible. (After Passover, R. Simeon holds that the unused *Pesaḥ* itself is a well-being offering.) But for reparation sacrifices, the unused animals have to graze until they develop a defect and then be sold and the proceeds used for elevation offerings, as explained by R. Abbin. Therefore the value of the reparation offering from the start is potential for elevation offerings.

136 *Pesaḥ* before and after Passover is a *sanctum* destined for the altar; reparation sacrifice in case it is not used is from the start destined to be used for its money-worth (explanation of R. Eliahu Fulda.)

משנה ח: רבי יהושע אומר. זכרים עצמן יקריבו עולות ונקבות ימכרו לצרכי זבחי שלמים ויביא בדמיהן עולות. ושאר נכסים יפלו לבדק הבית.

Mishnah 8: Rabbi Joshua says, the males themselves should be brought as elevation sacrifices, and the females be sold to those who need well-being offerings, and the remaining property be used for upkeep of the Temple.

הלכה ח: רבי זעורה בשם רבי שמעון בן לקיש. טעמיה דרבי יהושע. דבר אל-אהרן ואל-בניו ואל כל-בני ישראל ואמרת אליהם איש איש מבית ישראל וגומ'. אשר יקריב לך לעלה. הפל קרב לעולה. לרצונכם תמים זכר. מניין אפילו נקיבות. תלמוד לומר בבקר לרבות את הנקיבות. רבי יצחק בירבי אלעזר. כתוב זכר. ואף אמרת בבקר לרבות את הנקיבות. ודכותה כתב תמים. ואף אמרת בבקר לרבות בעלי מומין.

1 זעורה | B זעירא ר' שמעון בן לקיש | B ריש לקיש 3-2 אל אהרן... קרב לעולה | B אל בני אהרן ואל כל בני ישראל איש איש מבית ישראל כי יקריב עולה 4 הנקבות | B הנקיבות כת' | B שאל כת'

Halakhah 8: Rabbi Ze'ira in the name of Rabbi Simeon ben Laqish. The reason of Rabbi Joshua¹³⁷: ¹³⁸*Speak to Aaron, and his sons, and to all Children of Israel, and say to them: each single man from Israel, etc. who will*

offer an elevation sacrifice to the Eternal, anything could be elevation sacrifice, *voluntarily from you, unblemished, male*. From where even females? The verse says, *in cattle*, to include females¹³⁹. Rabbi Isaac ben Rabbi Eleazar¹⁴⁰: It says *male*, and you are saying *in cattle*, to include females. Then similarly it is written *unblemished*, and you are saying *in cattle*, to include the blemished¹⁴¹?

137 Since R. Joshua requires that the male animals be used as elevation offerings, why does he not require that the females be used directly as well-being offerings, but sold and the proceeds used for elevation offerings?

138 *Lev. 22:18-19*.

139 In contrast to *Lev. 1:3*, where מן הבקר clearly is partitive, only the select from the cattle, here בבקר, “in the herd”, is inclusive.

While females cannot be elevation sacrifices, they can be dedicated that their proceeds be used for elevation sacrifices.

140 B adds, probably correctly, “asked”.

141 Since Mishnah 7 starts “if there was an animal fit for the altar,” clearly excluding defective animals also according to R. Joshua, the argument is invalid and so is the prior statement of R. Ze'ira.

משנה ט: אמר רבי עקיבה רואה אני את דברי רבי אליעזר מודברי רבי יהושע שרבי אליעזר השווה את מדתיו ורבי יהושע חלק. אמר רבי פפים שמעתי את דברי שניהן המקדיש בפרוש כדברי רבי אליעזר והמקדיש סתם כדברי רבי יהושע:

Mishnah 9: Rabbi Aqiba says, I agree with the words of Rabbi Eliezer against the words of Rabbi Joshua, since Rabbi Eliezer is uniform in his rules but Rabbi Joshua splits¹⁴². Rabbi Pappaeus said, I heard according to the words of both of them. If somebody dedicates explicitly¹⁴³, following the words of Rabbi Eliezer; if the dedication is unspecified¹⁴⁴, following the words of Rabbi Joshua.

142 According to R. Eliezer the entire property is for the upkeep of the Temple; R. Joshua excludes male unblemished animals. Also R. Eliezer treats male and female animals by the same rules.

143 He says, the animals are to be sacrifices.

144 He simply hands over his property to the Temple.

(48b line 70) **הלכה ט:** מה ביניהון. רב אמר. שיבטא דכרכדא ביניהון.

1 שיבטא דכרכדא | B דבר פדא M דבר בדה | ביניהון | B ביניהון

Halakhah 9: What is between them? The stick of a weaver's shuttle is between them¹⁴⁵.

145 There is very little between them since R. Aqiba only says that R. Eliezer is more logically consistent; he does not decide that practice has to follow R. Eliezer. The weaver's shuttle is Greek *κερκίς*, -ῖδος. The

reading of B, "the statement of Bar Pada" does not seem to make any sense; probably it is a misreading of the version of M, "a matter of invention", i. e., of formulation.

(fol. 47d) **משנה י:** המקדש נכסיו והיו בהן דברים ראויין לגבי מזבח יינות ושמן ועופות. רבי לעזר אומר ימכרו לצריכי אותו תמין ויביא בדמיהן עולות ושאר נכסים יפלו לבדק הבית:

Mishnah 10: If somebody gives his property to the Temple¹⁰⁴ and in it there were things fit for the altar, wines, oils, or birds. Rabbi Eleazar says, they shall be sold to people needing these kinds and from the proceeds one shall bring elevation sacrifices¹⁴⁶; but the remainder of the property shall be used for the upkeep of the Temple.

146 Four-legged animals. Even though birds (pigeons and turtle doves) are valid elevation sacrifices (*Lev. 1:14-17*), only

four-legged animals can be brought "to adorn the altar."

(48b line 71) **הלכה י:** רבי אבהו בשם רבי בשם רבי שמעון בן לקיש. טעמיה דרבי לעזר. דבר אל-אֶהָרֹן ואל-בָּנָיו וגו'. אֶשֶׁר יִקְרִיב לִי לַעֲלֹתָ. הַכֹּל קָרֵב לַעֲלֹתָ. לְרֹצְחֵם תִּמְּסֵם זָכָר. יָכוֹל אֶפִּילוֹ עוֹפוֹת. תִּלְמֹד לומר בְּבָקָר. לא עופות. רבי ירמיה ורבי בון בר חייה הוון יתבין ואמרין. תמן אמר רבי יוחנן. טעמיה דרבי שמעון. שכן נקיבה שבעוף כשיקרה לבוא עולה. והקא הוא אמר הכן. אמר רבי יוסה. קיימתיה כהיא דאמר רבי שמואל בשם רבי זעורה. כל-שאניה יכולה לקרב לא היא ולא דמיה לא קדשה אלא הקדש דמים. ואמרת נאות. להקריבו אין את יכול. דקתיב בְּבָקָר. לא עופות. לפדותו אין את יכול. שאין לעוף פדיון. לפום כך צריך מימר. לא קדשה אלא קדושת דמים.

1 אבהו B אבהוני ר' שמעון בן B ריש לעזר B אלע' 2 ואל בניו וגו' B ואל כל בני ישראל אשר ... לעולה B - לעולה B עולה 3 ולא B לא בן בר חייה B כובין M ביבין 4 ואמרין B אמר' שכן B שכן מציו שבעוף B בעוף 5 הכן B הכי יוסה B יוסי קיימתיה B קיימתיה כהיא B כההוא ר' B - זעורה B זעירא 6 יכולה B ראיה לקרב B ליקרב דמיה B דמי לא B ולא אלא הקדש דמים. ואמרת נאות B ואת אומרת לעוף 7 את B אתה בבקר B בקר פדיון B פדיון צריך B צריך 8

קדשה | B קידשה קדושת | B להקדיש
 חֲבֵרִיָּא בְּשֵׁם רַבִּי יוֹחָנָן. רַבִּי אֵיבּוֹ בַּר נַגְרִי אָמַר קוּמִי רַבִּי אֵילָא בְּשֵׁם רַבִּי יוֹחָנָן. טַעֲמָא
 דְּהֵיִן תְּנִינָא. וְאִם כָּל־בְּהֵמָה טְמִימָה אֲשֶׁר לֹא־יִקְרִיבוּ מִמֶּנָּה קָרְבָן לֵי. מַה תִּלְמֹד לֹא־מֵר
 טְמִימָה. אֵלָא אֲפִילוּ טְמִימָה בְּאוֹתוֹ הַשֵּׁם. וְקִשְׁיָא. בְּדָא כְּתִיב וְהֶעֱמִיד וְהֶעֱרִיד. רַבִּי זְעוּרָה
 בְּשֵׁם רַבִּי אֶלְעָזָר. לֹא אָמַר כֵּן אֵלָא וְאִם כָּל־בְּהֵמָה טְמִימָה אֲשֶׁר לֹא־יִקְרִיבוּ מִמֶּנָּה קָרְבָן לֵי.
 כָּל־שְׂאִינִה רְאוּיָה לִיקְרֵב לֹא כָּאן וְלֹא בְּמִקּוֹם אַחֵר אֵינִה עוֹשָׂה תְּמוּרָה. וְצִאת נְקִיבָה שְׂבָעוֹף
 שְׂאֵף עַל פִּי שְׂאִינִה רְאוּיָה לִיקְרֵב כָּאן רְאוּיָה לִיקְרֵב בְּמִקּוֹם אַחֵר. רַבִּי בִּין וְרַבִּי בּוֹן בְּעוֹן קוּמִי
 רַבִּי זְעוּרָה. הֲרִי הִרּוּבַע וְהִנְרַבַּע הֲרִי אֵינּוּ רְאוּיִן לִיקְרֵב לֹא כָּאן וְלֹא בְּמִקּוֹם אַחֵר וְהֲרִי הֵן עוֹשִׂין
 תְּמוּרָה. אָמַר לוֹן. אִף אֲנִי לֹא אֶמְרָתִי אֵלָא טְמִימָה מִמֶּשׁ. וְקִשְׁיָא. בְּדָא כְּתִיב וְהֶעֱמִיד וְהֶעֱרִיד.

1 אייבו | B ייבו אמ' | B - אילא | B האי לא 2 דהין | B דהדין תנייא | B תניא ואם | B ואת טמיה | B
 - ליי | B - 3 טמיה | B טמיה באותו | B לאותו בדא | B כהדא זעורה | B זעירא 4 אלעזר | B
 אליעזר טמיה | B - ממנה קרבן ליי | B - 5 שאינה | B שאין כאן | B לו שבעוף | B בעוף 6 שאע"פ | B
 אף עלפי כאן | B - בעון | B - 7 זעורה | B זעירא 8 לוין | B להן ממש | B ממום בדא | B בהדא

Halakhah 10: Rabbi Abbahu in the name of Rabbi Simeon ben Laqish.

The reason of Rabbi Eleazar: ¹³⁸*Speak to Aaron and to his sons, etc., who would sacrifice to the Eternal as elevation sacrifice; everything may be brought as elevation sacrifice, by your volition, unblemished, male.* I could think that this includes birds. The verse says, *in cattle*, not birds¹⁴⁸. Rabbi Jeremiah and Rabbi Abun bar Hiyya were sitting and saying, there said Rabbi Johanan said, the reason of Rabbi Simeon is that we find that a female is qualified as elevation offering of a bird¹²⁸. And here, he¹⁴⁹ says so? Rabbi Yose said, I confirmed it following what Rabbi Samuel said in the name of Rabbi Ze'ira: Anything which could be sacrificed neither itself nor its money's worth is sanctified only as money's worth¹⁵⁰. And you are saying, this is correct. You cannot sacrifice it, for it is written *in cattle*¹⁵¹. You cannot redeem it since birds cannot be redeemed.¹⁵²

The colleagues in the name of Rabbi Johanan; Rabbi Ayvo bar Nagari said before Rabbi Ila in the name of Rabbi Johanan. The reason of this Tanna: *But if any impure animal from which no sacrifice to the Eternal may be offered*¹⁵³. Why does the verse say, *impure*¹⁵⁴? But even impure for this denomination¹⁵⁵. This is difficult; about this is written, *he shall stand, he shall appraise*¹⁵⁶? Rabbi Ze'ira in the name of Rabbi Eleazar did not say so but, *but if any impure animal from which no sacrifice to the Eternal may be offered*; anything which could be sacrificed neither here nor at any other place does

not effect substitution¹⁵⁷. This excludes the female of a bird which even though it cannot be sacrificed here is fit to be sacrificed at another place. Rabbi Abbin and Rabbi Abun asked before Rabbi Ze'ira: Are there not the animals used for active or passive bestiality, which can be sacrificed neither here nor at any other place, and they effect substitution¹⁵⁸? He said to them, also I did speak only about really impure ones¹⁵⁹. This is difficult; about this is written, *he shall stand, he shall appraise*¹⁵⁶?

148 Since the verse restricts elevation offerings from four-legged animals to unblemished males, it is inferred that the restriction does not apply to birds [*Sifra Emor Parashah* 7(20), *Wayyiqra I Parshata* 6(3)]. In addition, since *Lev.* 1:14-17 is addressed to the individual, but *Lev.* 22:18-19 to the public, it is inferred that birds as elevation offerings are possible only to the individual; the public is restricted to four-legged animals. Since a gift to the Temple is a gift to the public, birds given to the Temple as part of an estate may not be sacrificed.

149 Even though the statement is transmitted in the name of R. Simeon ben Laqish, we do not hear that R. Joḥanan disagrees; the statement is coming from R. Joḥanan's Academy.

150 If an animal is not dedicated as sacrifice and if sold, the money cannot be used to buy an animal which can validly be dedicated (Note 119), the animal is given for the upkeep of the Temple, not to the gift account.

151 And the public to whom the bird was given may not dedicate it as sacrifice.

152 Mishnah *Menaḥot* 12:1. Not only birds, but also dedicated wine and flour

cannot be redeemed since the rules of redemption in *Lev.* 27 are formulated referring to four-legged animals only.

153 *Lev.* 27:11.

154 Since no impure animal can be sacrificed, either the mention of "impure" or that of "cannot be sacrificed" seems to be superfluous.

155 If an animal was dedicated in a category for which it was not appropriate, and it never could be sacrificed in that category, it never was dedicated to the altar and therefore can be redeemed.

156 *Lev.* 27:12.

157 If "impure" really means "unfit", e. g. cattle or sheep with a broken leg, it is not dedicated to the altar and must be redeemed with the money going for the upkeep of the Temple. However, it cannot be made to stand as required by the verse.

158 Tosephta *Temurah* 1:12 states that dedicating such an animal, while sinful, is equivalent to dedicating an unblemished animal which after dedication becomes blemished; all rules of *me'ilah* do apply and it may be redeemed only after it develops a permanent bodily defect.

159 B reads: "defective ones."

(fol. 47d) **משנה יא:** אחת לשלשים יום משערין את הלשקה. בל-המקבל עליו לספק סלתות מארבע עמדות משלש יספק מארבע. משלש ועמדות מארבע יספק מארבע שיד הקדש על העלייתה. אם התליעה סולת התליעה לו ואם החמיין יין החמיין לו. אינו מקבל את מעותיו עד שיהא המזבח מרצה:

Mishnah 11: Once every thirty days one sets the prices for the office¹⁶⁰. Anyone who accepts to supply fine flour at a rate of four¹⁶¹, if the going rate goes up to three he has to supply at the rate of four¹⁶⁴; if at the rate of three and the going rate went down to four he has to supply at four since the hand of the sanctuary is privileged. If the flour turned out worm-infected, it was infected in his possession¹⁶³; and if the wine turned into vinegar it was vinegar in his possession. He is not paid until the altar did atone¹⁶⁴.

160 One lets contracts to supply the Temple with wine and flour to accompany the sacrifices. This lets the Temple set the prices for these items as explained in the next Chapter.

161 The contract is to supply 4 *seah* of flour for one tetradrachma.

162 During the month one could buy flour on the wholesale market only at a rate of 3 *seah* per tetradrachma.

163 Even if the worms were not detected at the time of delivery, only at the time of use.

164 When at the time of use the items were found to be in good order.

(48c line 15) **הלכה יא:** תני בשם רבי שמעון. מיד היו מקבלין את מעותיו. והכהנים זריזין הן.

BM תני בשם רבי שמעון מיד היה מקבל את מעותיו והכהנים זריזין.

Halakhah 11: It was stated in the name of Rabbi Simeon: he receives his money immediately, for the priests are quick¹⁶⁵.

165 Chapter 2, Note 33. The text there is reproduced in B and M.