

אִיבְעִיא לְהוּ: בְּכּוּר מֵאִמְתִּי מוֹנִין לוֹ שָׁנָה? אַבְיֵי אָמַר: מִשְׁעָה שְׁנוּלָה. רַב אַחָא בְרַי יַעֲקֹב אָמַר מִשְׁעָה שְׁנוּרָאָה לְהִרְצָאָהּ.

§ A dilemma was raised before the Sages: In the case of a first-born animal, from when does one begin to count a year with regard to the prohibition against delaying? Abaye said: One counts from the time it is born. Rav Aḥa bar Ya'akov said: One counts from the time it is fit for appeasement, i.e., from its eighth day, when it is fit to be brought as an offering, as explicitly stated in the Torah (see Leviticus 22:27).

וְלֹא פְּלִיגִי, הָא בְּתָם,

The Gemara comments: The two Sages do not disagree. This one, Rav Aḥa bar Ya'akov, who said that one counts from the time that the animal is fit for appeasement, is speaking about an unblemished firstborn, which must be brought to the altar for sacrifice.

Perek I
Daf 7 Amud a

הָא בְּבֵעַל מוּם.

That one, Abaye, who said that one counts from the time that the animal is born, is speaking about a blemished animal. Since it was already fit to be slaughtered from the day of its birth, if one does not give it to the priest within a year of that day he transgresses the prohibition against delaying.

בְּעַל מוּם מִי מְצִי אֲכִיל לֵיהּ? דְּקָמֵי לֵיהּ בֵּיהּ שְׁבָלוֹ לוֹ חֲדָשִׁין.

The Gemara asks: Can an animal with a blemish really be eaten immediately on the day that it is born? Isn't there a requirement to wait eight days before slaughtering it, in order to ascertain that the animal is viable and was not born prematurely? The Gemara answers: This is referring to a case where one is certainⁿ of when the animal was conceived and that its months of gestation have been completed, so that it may be presumed to be viable.^h

תִּנּוּ רַבָּנִין: בְּאַחַד בְּנִיטָן רֹאשׁ הַשָּׁנָה לְחֲדָשִׁים, וְלַעֲבוּרֵין וְלַתְרוּמַת שְׁקָלִים. וַיֵּשׁ אֹמְרִים אֶף לְשִׁכְרוֹת בְּתָם.

§ The Sages taught a *baraita* that expands upon what was taught in the mishna: On the first of Nisan is the New Year for counting the months of the year, and for leap years,^h and for collection of the shekels that had been collected in Adar and used to purchase animals for communal offerings and other needs of the Temple; and some say that it is also the New Year for the renting of houses.

לְחֲדָשִׁים מְנַלְן? דְּכַתִּיב: "הַחֹדֶשׁ הַזֶּה לְכֶם רֹאשׁ חֲדָשִׁים רֹאשׁוֹן הוּא לְכֶם לְחֲדָשֵׁי הַשָּׁנָה. דַּבְּרוּ אֶל כָּל עַדַת יִשְׂרָאֵל לֵאמֹר בְּעֶשְׂוֹר לְחֹדֶשׁ הַזֶּה וַיִּקְחוּ לָהֶם אִישׁ שֶׁה לְבֵית אָבוֹת שֶׁה לְבֵית. וְהָיָה לְכֶם לְמִשְׁמֶרֶת עַד אַרְבַּעָה עָשָׂר יוֹם לְחֹדֶשׁ הַזֶּה וְשָׁחֲטוּ אוֹתוֹ" גּוֹר. וְכַתִּיב: "שְׁמוֹר אֶת חֹדֶשׁ הָאָבִיב." אֵיזְהוּ חֹדֶשׁ שֵׁשׁ בּוֹ אָבִיב? הֵוּ אֹמֵר זֶה נִסָּן, וְקָרִי לֵיהּ רֹאשׁוֹן.

From where do we derive that the first of Nisan is the New Year for months? As it is written: "This month shall be to you the beginning of months; it shall be the first month of the year to you. Speak to all the congregation of Israel, saying: On the tenth day of this month they shall take to them every man a lamb, according to the house of their fathers, a lamb for a household... And you shall keep it until the fourteenth day of the same month: And the whole assembly of the congregation shall slaughter it toward evening" (Exodus 12:2–6). And elsewhere it is written: "Observe the month of ripening and keep Passover to the Lord your God; for in the month of ripening the Lord your God brought you forth out of Egypt by night" (Deuteronomy 16:1). Which is the month in which there is a ripening of grain? You must say that this is Nisan, and it is called the first month of the year.

וְאִימָא אֵייר? בְּעֵינָא אָבִיב, וְלִיכָא. וְאִימָא אֲדָר? בְּעֵינָא רוּב אָבִיב, וְלִיכָא. מִיָּדִי רוּב אָבִיב בְּתָם?!

The Gemara asks: But one could say that it is the month of Iyyar. The Gemara answers: A month of ripening is required, and in Iyyar there is no ripening, as the grain has already ripened. The Gemara asks further: But one could say that it is the month of Adar, the month in which some of the grain begins to ripen. The Gemara answers: The month in which most of the ripening takes place is required, and this is not the case in Adar, as most of the grain ripens during the next month, the month of Nisan. The Gemara asks: But is most of the ripening written in the verse? The verse merely speaks of the month of ripening, and since there is some ripening in Adar, it is possible that this is the first month.

NOTES

Where one is certain – דְּקָמֵי לֵיהּ בֵּיהּ – The Ritva asks: Once an animal is eight days old, it is clear retroactively that the animal was viable from birth. If so, why is its year counted from eight days and not from the time of birth? He explains: By Torah decree, the animal is not fit for sacrifice during the first eight days of its life, and therefore those eight days are not included as part of its first year (see *Sefat Emet*).

HALAKHA

A year of a firstborn – שְׁנָה שֶׁל בְּכוֹר – There is a mitzva to eat the male firstborn of a kosher animal within its first year. If it is unblemished, it is sacrificed as an offering and part of the animal is eaten by priests, and if it has a blemish, it is eaten even by non-priests. If the animal is unblemished, one counts its first year from the eighth day following its birth, and if it is born with a blemish, one counts from the day of its birth. This applies when it is known with certainty when the animal was conceived and that it was born at full term; if this is not known, one begins counting only from the eighth day (Rambam *Sefer Korbanot, Hilkhot Bekhorot* 1:8).

The New Year...for leap years – לְעִיבוּרֵין...ראש השנה – Although the court may calculate leap years several years in advance, it must not declare the leap year of any given year until after Rosh HaShana. If it declared the matter before Rosh HaShana, its declaration is ineffectual (Rambam *Sefer Zemanim, Hilkhot Kiddush HaHodesh* 4:13).

אֶלָּא אָמַר רַב חֲסֵדָא: מִהֶכָּא: "אֵךְ בַּחֲמִשָּׁה עָשָׂר יוֹם לַחֹדֶשׁ הַשְּׁבִיעִי בְּאַסְפְּכֶם אֶת תְּבוּאֵת הָאָרֶץ". אֵיזְהוּ חֹדֶשׁ שֵׁשִׁי בּו אֶסְיִפְהָ? הֵיּוּ אֹמְרֵי זֶה תִּשְׁרֵי, וְקָא קְרִי לִיהַ שְׁבִיעִי.

וְאִימָא מְרַחֲשׁוֹן, וּמֵאִי שְׁבִיעִי? שְׁבִיעִי לְאִיִּיר! בְּעִינָא אֶסְיִף, וְלִיכָא. וְאִימָא אֱלוּל, וּמֵאִי שְׁבִיעִי? שְׁבִיעִי לְאֶדְר! בְּעִינָא רוּב אֶסְיִף, וְלִיכָא. מִיָּדִי רוּב אֶסְיִף כְּתִיב!?

אֶלָּא אָמַר רַבִּינָא: דְּבַר זֶה מִתּוֹרַת מֹשֶׁה רַבִּינוּ לֹא לְמַדְנָהּ, מִדְּבָרֵי קְבֻלָּה לְמַדְנָהּ: "בְּיוֹם עֶשְׂרִים וְאַרְבָּעָה לְעֶשְׂתֵּי עָשָׂר חֹדֶשׁ הוּא חֹדֶשׁ שֶׁבֶט". רַבָּה בַּר עוּלָא אָמַר, מִהֶכָּא: "וַתִּלְקַח אֶסְתֵּר אֶל הַמֶּלֶךְ אַחַשְׁוֵרוּשׁ אֶל בֵּית מְלָכוֹתָו בַּחֹדֶשׁ הָעֲשִׂירִי הוּא חֹדֶשׁ טֵבֵת".

רַב פְּהֵנָא אָמַר, מִהֶכָּא: "בְּאַרְבָּעָה לַחֹדֶשׁ הַתְּשִׁיעִי בְּכֶסֶל". רַב אַחָא בַּר יַעֲקֹב אָמַר, מִהֶכָּא: "וַיִּקְרָאוּ סוֹפְרֵי הַמֶּלֶךְ בַּעֲת הַהִיא בַּחֹדֶשׁ הַשְּׁלִישִׁי הוּא חֹדֶשׁ סִינָן". רַב אֲשִׁי אָמַר, מִהֶכָּא: "הִפִּיל פּוּר הוּא הַגּוֹרֵל לְפָנֵי הַמֶּן מִיּוֹם לְיוֹם וּמִחֹדֶשׁ לַחֹדֶשׁ שְׁנַיִם עָשָׂר הוּא חֹדֶשׁ אֶדְר". וְאִיבִיעִית אִימָא מִהֶכָּא: "בַּחֹדֶשׁ הָרִאשׁוֹן הוּא חֹדֶשׁ נִסָּן".

וְכוּלְהוּ מֵאִי טַעְמָא לָא אָמְרֵי מִהֶאִי דְלִמָּא, מֵאִי רִאשׁוֹן? רִאשׁוֹן לְמִילְתֵיהּ.

וְתַנָּא דִּידָן: בְּשָׁנִים קַמִּיִּיר, בַּחֲדָשִׁים לָא קַמִּיִּיר.

Rather, Rav Hīśda said: It is derived that Nisan is the first of the months from here. The verse states: "Also on the fifteenth day of the seventh month, when you have gathered in the fruit of the land" (Leviticus 23:39). Which is the month in which there is a gathering of the grain of the field before the rains begin? You must say that this is Tishrei, and it is called the seventh month. Therefore, Nisan is the first month of the year.

The Gemara asks: But one could say that verse is referring to the month of Marḥeshvan, and what is meant by seventh? It is the seventh month from the month of Iyyar. The Gemara rejects this possibility: A month of gathering is required, and in Marḥeshvan there is no gathering, as the crops have already been gathered in, and the fields have already begun to be plowed to prepare them for the next year's planting. The Gemara asks further: But one could say that it is the month of Elul, the month in which the gathering of the grain from the fields begins, and what is meant by seventh? It is the seventh month from the month of Adar. The Gemara answers: The month in which most of the gathering takes place is required, and this is not the case in Elul, as most of the gathering is done in Tishrei. The Gemara asks: But is most of the gathering written in the verse?

Rather, Ravina said: This matter we did not learn from the Torah of Moses, our teacher; rather, we learned it from the texts of the tradition,ⁿ i.e., the Prophets and Writings: "On the twenty-fourth day of the eleventh month, which is the month of Shevat" (Zechariah 1:7). If Shevat is the eleventh month, Nisan must be the first month. Rabba bar Ulla said: It is derived from here, as it is stated: "So Esther was taken to the king Ahasuerus into his royal house in the tenth month, which is the month of Tevet" (Esther 2:16).

Rav Kahana said: It is derived from here: "On the fourth day of the ninth month, in Kislev" (Zechariah 7:1). Rav Aḥa bar Ya'akov said: It is derived from here, as it is stated: "And the scribes of the king were called at that time in the third month, that is the month of Sivan" (Esther 8:9). Rav Ashi said: It is derived from here: "He cast pur, that is, the lot, before Haman from day to day, and from month to month, to the twelfth month, that is, the month of Adar" (Esther 3:7). And if you wish, say that it is derived from here: "In the first month, that is, the month of Nisan" (Esther 3:7).

The Gemara asks: And all of the others, what is the reason that they did not say that it is derived from here, the last verse mentioned, which is explicitly referring to Nisan as the first month? The Gemara answers: It is because one could perhaps have said: What is meant here by first? It means the first in relation to its matter,ⁿ i.e., the months of the decree, and so it cannot be proven from here that Nisan is the first of the months of the year.

The Gemara asks: And why didn't the tanna of our mishna list the first of Nisan as the New Year for months, as did the tanna of the baraita? The Gemara answers: He is dealing with matters connected to years, but he is not dealing with matters connected to months.

NOTES

We learned it from the texts of the tradition – מדברי קבלה – Tosafot cite the Jerusalem Talmud (*Rosh HaShana* 1:2), where it is stated that this is learned not only from the textual tradition, i.e., the Prophets and Writings, but also from the traditions of the Jewish people who returned from the exile during the times of Ezra with the names of the months and their order.

What is meant by first, it means the first in relation to its matter – מאי ראשון? ראשון למילתיה – The question is asked: Why

doesn't the Gemara challenge that perhaps the third or the twelfth months are also mentioned only in relation to their matter and are not an indication of the order of the months? The early authorities suggest several answers: A month is counted in relation to its matter only at the beginning, but not during the entire event (Ritva). Alternatively, once Nisan has been mentioned as the first month, the third and twelfth months are clearly referring back to Nisan and not to the third or twelfth month of a different matter (*Tosefot HaRosh*).

Due to pressing circumstances it may be declared – **מִפְּנֵי הַדְּחָק מְעַבְרִין**: The reason that the leap year may be declared immediately after Rosh HaShana only in pressing circumstances is that the decision to make a leap year is based on three primary considerations: The calculation of the equinox, weather conditions, and the ripening of the crops. On Rosh HaShana the decision must be made based solely on the calculation of the equinox, since the future weather and agricultural situation for the winter months will still be unknown (Rid).

The additional month added to the leap year can be only Adar – **אֵין מְעַבְרִין אֶלָּא אָדָר**: Rashi explains that since the intercalation of the year is derived from the verse: “Observe the month of ripening and keep Passover to the Lord your God; for in the month of ripening the Lord your God brought you forth out of Egypt by night” (Deuteronomy 16:1), the intercalation must take place close to the ripening, i.e., in Adar. *Tosafot* on tractate *Sanhedrin* suggest that since the months are numbered, and Adar is the twelfth month, it is logical that the additional month be added at the end to avoid renumbering the months. The *Ritva* argues that these reasons are not sufficient. He cites the *Mekhilta*, in which an analogy is drawn between intercalating the year and proclaiming a month to be full, i.e., thirty days long. Just as in the case of the month, a day is added at the end of the month and not at the middle, so too, in the case of a year, a month is added only at the end of the year (see *Meiri*).

HALAKHA

The time of the additional month of the leap year – **מָנָן – חוֹדֶשׁ הַעֲבֹד**: When a year is declared a leap year, the thirteenth month added is Adar. In that year, there are two months of Adar (Rambam *Sefer Zemanim, Hilkhot Kiddush HaHodesh* 4:1).

Until when may a leap year be declared – **עַד מָתַי מְעַבְרִין**: A leap year may be declared even in the month of Adar, but it may not be declared on the thirtieth of Adar, as that day is fit to have been the first of Nisan (Rambam *Sefer Zemanim, Hilkhot Kiddush HaHodesh* 4:14).

One asks about the *halakhot* of Passover – **שׂוֹאֲלִין – בְּהַלְכוֹת הַפֶּסַח**: One begins asking about the *halakhot* of Passover thirty days before the Festival (*Shulhan Arukh, Orah Hayyim* 429:1).

“וְלַעֲבוּרֵינוּ.” לְעִיבוּרֵינוּ מִנִּסָּן מִיָּמֵינוּ?! וְהַתְּנָא: אֵין מְעַבְרִין הַשָּׁנָה לִפְנֵי רֹאשׁ הַשָּׁנָה, וְאִם עִיבוּרָהּ אֵינָה מְעוּבְרָתָהּ, אֲבָל מִפְּנֵי הַדְּחָק מְעַבְרִין אוֹתָהּ אַחֵר רֹאשׁ הַשָּׁנָה מִיָּד, וְאֵף עַל פִּי כֵּן אֵין מְעַבְרִין אֶלָּא אָדָר!

It was taught in the *baraita*: **And on the first of Nisan is the New Year for leap years.**^B The Gemara asks: **Do we really count leap years from Nisan? But isn't it taught in a *baraita*: The court may not declare a leap year before Rosh HaShana, and if they did declare a leap year before Rosh HaShana, the declaration is not valid and it is not considered a leap year. But due to pressing circumstances, e.g., religious persecution, it may be declared^N immediately after Rosh HaShana.** At that time, the Sages may declare that the coming year will be a leap year in accordance with their calculations. **Even so, the additional month added to the leap year can be only a second Adar.**^{NH} In what sense, then, is Nisan the New Year for leap years?

אָמַר רַב נַחֲמָן בַּר יִצְחָק: מַאי עִיבוּרֵינוּ? הַפְּסָקָת עִיבוּרֵינוּ. דִּתְנִין: הֵן הָעִידוּ שְׂמַעְבְּרִין הַשָּׁנָה כָּל אָדָר. שְׂהֵיוּ אוֹמְרִים עַד הַפּוּרִים.

Rav Nahman bar Yitzhak said: What is meant here by leap years? It means **the end of the leap year.** Once the month of Nisan has arrived, the previous year can no longer be declared a leap year, **as we learned in a mishna: They, Rabbi Yehoshua and Rabbi Papeyyas, testified that the court may declare a leap year all through the month of Adar, as there were Sages who said: A year may be declared a leap year only until Purim, and if the decision to declare a leap year was not made before Purim, the year can no longer be declared a leap year.**^H

מַאי טַעְמָא דִּמְאֵן דְּאָמַר עַד הַפּוּרִים? כִּיּוֹן דְּאָמַר מַר: שׂוֹאֲלִין בְּהַלְכוֹת הַפֶּסַח קוּדְם לַפֶּסַח שְׁלִשִׁים יוֹם אֲתֵי לְזוּלוּיָהּ בְּחֻמְיָהּ.

The Gemara explains the dispute: **What is the rationale of the one who said that a leap year can be declared only until Purim? It is since the Master said: One asks about the *halakhot* of Passover^H thirty days before Passover.** Immediately following Purim, on the fifteenth of Adar, people already began to immerse themselves in the *halakhot* of Passover, which occurs on the fifteenth of Nisan. Were the court to declare a leap year after Purim, the festival of Passover would then be delayed for another month. In that case, there is concern that people **will come to demean** the prohibition against **leavened bread** and not observe Passover on its new date in the proper manner.

וְאֵיךְ: מִיָּד עַד יָדִיעַ דְּשִׁתָּא מְעַבְרָתָא בְּחוּשְׁבָנָא תְּלֵיא מְלֵתָא, וְסָבְרִי: חוּשְׁבָנָא הוּא דְלֵא סְלִיק לְהוּ לְרַבְּנֵי עַד הָאֵידִנָּא.

And the other Sages, Rabbi Yehoshua and Rabbi Papeyyas, who are not concerned about this, what do they say? They say that people know that a leap year is dependent on the calculation, and they will assume that the Sages did not complete the calculation until now, after Purim. Since this is a matter of common knowledge, there is no concern that declaring a leap year at that late time will lead to a disregard of the *halakhot* of Passover.

וְתַנָּא דִּידָן: בְּהַתְּחִלָּה קְמִיירי, בְּהַפְּסָקָה לֹא קְמִיירי.

The Gemara asks: **And why didn't the *tanna* of our mishna include the first of Nisan as the New Year for leap years? The Gemara answers: He is dealing with years that begin on the first of Nisan, but he is not dealing with years that end on that date.** With regard to leap years, the first of Nisan is the end not a beginning.

BACKGROUND

For leap years – **לְעִיבוּרֵינוּ**: The Jewish calendar follows a lunar cycle of twelve months of twenty-nine or thirty days each. It is also related to the solar calendar because the Festivals must occur in the appropriate seasons. In particular, Passover must be at the time of the barley harvest and *Sukkot* at the time of the autumn equinox. The solar year is slightly more than eleven days longer than the lunar year. To compensate for this difference, a thirteenth month is occasionally added so that there are two months of Adar. During the period when the calendar was set every year by the Sanhedrin, the question of whether to add an extra month required a unique decision-making process. First, the matter was considered by three judges selected from

the Sanhedrin. If they thought an additional month was necessary, two more judges were asked to join the deliberations. If this body also agreed, two more judges were added, bringing the total to seven. These judges would make the final decision. In addition to the need for the Festivals to fall in their appropriate seasons the judges also considered the climatic conditions and whether the crops had ripened sufficiently. Since the fourth century CE, the Jewish calendar has operated on a fixed astronomical system using a nineteen-year cycle, correlating the lunar and solar calendars. Leap months are added in the third, sixth, eighth, eleventh, fourteenth, seventeenth, and nineteenth years of each cycle.

NOTES

And for collection of the of shekels – לתרומת שקלים: In the Jerusalem Talmud, another reason is cited that Nisan is the New Year for collection: This is learned from the Tabernacle. Just as the Tabernacle was established on the first of Nisan and the communal offerings were purchased with shekels that had been collected shortly before that, so too, every year the offerings brought in Nisan are purchased from the new contribution of shekels.

And if an individual volunteered from his own property – ויחיד שהתנדב משלו: Ideally, communal offerings should be purchased with communal funds, to which each person contributes an equal amount, so that no one thinks that he has a larger share in the offerings than others.

BACKGROUND

For collection of the shekels – לתרומת שקלים: All male Jews were required annually to contribute half a shekel to the Temple before the first day of the month of Nisan, the first day of the new Temple year. This money was used to cover the expenses of the Temple, which included buying communal sacrifices, paying for repairs, and maintaining and repairing the walls of Jerusalem. From the beginning of the month of Adar, notice was served to the public that the half-shekel contributions would soon be due. The exact value of the half-shekel changed several times in the course of the generations. Nowadays, toward the end of the Fast of Esther on the thirteenth of Adar, before the beginning of the Purim, people contribute to charity as a reminder of the half-shekel. The halakhot of the half-shekel contributions made to the Temple are discussed in tractate Shekalim.

HALAKHA

Offerings...from the new contribution – קרבנות...מן החדש: From the first of Nisan, communal offerings are purchased from the new shekels that were collected in Adar. Even if there are animals that were purchased with the old shekels and are ready for sacrifice, they are redeemed and then treated as non-consecrated animals. If, however, the new shekels have not yet been collected, the offerings may be purchased from the old shekels (Rambam Sefer Zemanim, Hilkhot Shekalim 4:11).

The offering of an individual to the community – נדבת: If an individual donates his own money and transfers it fully to the community, the communal offerings, priestly garments, and Temple vessels purchased with that money are all permitted to be used (Rambam Sefer Avoda, Hilkhot Kelei HaMikdash 8:7).

ולתרומת שקלים. מנלן? אמר רבי נאשיה: אמר קרא: "זאת עולת חדש בחדשו לחדשי השנה, אמרה תורה: חדש והבא קרבן מתרומה חדשה. וגמרי "שנה" "שנה" מניסן, דכתיב: "ראשון הוא לכם לחדשי השנה".

ולגמור שנה שנה מתשרי, דכתיב: "מראשית השנה! דנין שנה שיש עמה חדשים משנה שיש עמה חדשים, ואין דנין שנה שיש עמה חדשים משנה שאין עמה חדשים.

אמר רב יהודה אמר שמואל: קרבנות צבור הבאין באחד בניסן מצוה להביא מן החדש, ואם הביא מן הישן יצא, אלא שחיסר מצוה.

תניא נמי הכי: קרבנות צבור הבאין באחד בניסן מצוה להביא מן החדש, ואם הביא מן הישן יצא, אלא שחיסר מצוה, ויחיד שהתנדב משלו בשריו, בלבד שימסרם לצבור.

פשיטא! מהו דתימא: ליחוש שמא

It was taught in the baraita: And the first of Nisan is the New Year for collection of the shekels^{NB} that had been collected in Adar and were used to purchase animals for communal offerings and other needs of the Temple. The Gemara asks: From where do we derive this? Rabbi Yoshiya said that the verse states: "This is the burnt-offering of each month in its month throughout the months [lehodshei] of the year" (Numbers 28:14). The seemingly superfluous term: "Throughout the months [lehodshei] of the year," should be understood as follows: The Torah is saying here: Renew [haddesh] the year and bring an offering from the new collection of the shekels. And it is derived by way of a verbal analogy between one instance of the word "year" and another instance of the word "year" that the year begins for this purpose from Nisan, as it is written with regard to Nisan: "It shall be the first month of the year to you" (Exodus 12:2).

The Gemara asks: But let us learn by way of a verbal analogy between one instance of the word "year" and a different instance of the word "year" that the year begins for this purpose from Tishrei, as it is written with regard to Tishrei: "From the beginning of the year" (Deuteronomy 11:12). The Gemara answers: One derives the meaning of the word "year" together with which "months" are mentioned, as the verse states: "Throughout the months of the year," from another instance of the word "year" together with which months are mentioned, as the verse states: "It shall be the first month of the year to you." And one does not derive the meaning of the word "year" together with which months are mentioned from an instance of the word "year" together with which "months" are not mentioned, as the verse states: "From the beginning of the year."

Rav Yehuda said that Shmuel said: With regard to communal offerings that are brought on the first of Nisan, there is a mitzva to bring them from the new contribution^H of shekels collected for that year. However, if one brought them from the old contribution, i.e., from last year's shekels, he has fulfilled the obligation with regard to the offerings, but he lacks the mitzva of bringing them from the new shekels.

The Gemara comments: This halakha is also taught in a baraita: With regard to communal offerings that are brought on the first of Nisan, there is a mitzva to bring them from the new contribution of shekels. However, if one brought them from the old contribution, he has fulfilled the obligation with regard to the sacrifices, but he lacks the mitzva of bringing them from the new shekels. If a private individual volunteered to bring the communal offerings from his own property,^N they are fit for the altar, provided that he transfers them over to the community.^H

The Gemara asks: It is obvious that one may donate of his own property to the community, provided that he transfers it to the community in the proper manner. The Gemara answers: Lest you say that we should be concerned that perhaps

לא ימסרם לצבור יפה יפה. קא משמע לן.

he will not transfer them over to the public without reservation, and in his heart he will hold on to them as his own, therefore the baraita teaches us that this is not a matter of concern.

ותנא דידן: בין דקתני "אם הביא יצא" לא פסיקא ליה.

The Gemara asks: And why didn't the tanna of our mishna count the first of Nisan as the New Year for shekels? The Gemara answers: The tanna of the mishna lists only definite New Years. Since it is taught: If one brought them from the old contribution, he has fulfilled his obligation, he could not state this New Year as a definite rule, and so he did not teach it.

ראש השנה לשכירות – The New Year for the renting of houses – **ביתים**: According to most early authorities, if one rents a house without specifying for how long, or if he rents it for a year, the rental is for twelve months from that day. This ruling is not in accordance with the *baraita* that maintains that the New Year for renting houses is the first of Nisan. If the renter says that he is renting the house for this year, some early authorities hold that the new year begins on the first of Tishrei (*Shakh; Shulhan Arukh, Yoreh De'at* 220:15 and *Hoshen Mishpat* 312:13).

NOTES

Even if the agreement was made only on the first of Adar – **ביתים**: Even if the sum of money in the rental agreement indicates that the rental is to be for more than one month, the burden of proof remains on the renter because the *halakha* is that the amount of money does not serve as evidence in determining the correct interpretation of a contract (*Tosafot*). The Ritva points out that if the contract begins after the first of Adar, then it extends for a full twelve months because there is a presumption that no one rents for less than a month.

ביתים תשרי – **אימא תשרי**: It makes sense that the first of Tishrei would be the New Year for houses, for monetary matters follow usual speech, and according to common language the New Year begins on the first of Tishrei (*Tashbetz*).

תנא דין – **אימא תשרי**: According to most authorities, the *halakha* is in accordance with the opinion of the *tanna* of the mishna that there is no fixed New Year for the conclusion of house rentals. However, the early authorities disagree with regard to the beginning of the rental contract. When it says that the house is rented for only this year, does it mean the year that began on the first of Tishrei (Ran), or does it mean that it is rented for the next twelve months beginning on that day (Rashba)?

חמשה הו – **אימא תשרי**: This question assumes that there is one *tanna* who accepts the opinions of both Rabbi Meir and Rabbi Shimon. This assumption underlies the Gemara's earlier objection that the *tanna* of the mishna follows the opinion of Rabbi Shimon in one clause and that of Rabbi Meir in another clause. Without this assumption, there would have been no question, since Festivals and animal tithes are two entirely different topics, and an anonymous *tanna* in a mishna often follows different opinions on different topics.

BACKGROUND

It is common that the sky becomes covered with clouds [*kitrei*] – **מישכת שכיה קיטרי**: The word *kitrei* means knots, i.e., the sky becomes tied up with clouds that bring rain. Measurements taken over several decades in Israel indicate that a significant amount of rain falls in the month of Nisan, especially during non-leap years. For example, Jerusalem averages more than 29 mm during Nisan, which is about five percent of its annual total.

מעשר בהמה – **אימא תשרי**: On three occasions each year, the owner of a herd of kosher animals was required to gather all those animals born during the preceding period and make them pass single file through a gate. As the animals passed "under the shepherd's rod" (*Leviticus* 27:32), every tenth animal was marked with red paint, to indicate that it was sacred. The animals marked in this way were the tithe. Those animals that were fit to be sacrificed were brought to the Temple and sacrificed in a manner similar to a peace-offering. Their blood was sprinkled on the altar, and their meat was eaten by their owner, but not by the priests. The details of the *halakhot* of animal tithes are elucidated in tractate *Bekhorot*.

It was taught in the *baraita*: **And some say that the first of Nisan is also the New Year for the renting of houses.**⁴ **The Sages taught the following baraita: If one rents out a house to another person for a year, he counts twelve months from day to day. But if he said that he was renting it for this year, then even if the agreement was made only on the first of Adar,^N once the first of Nisan arrived one month later, it is counted as a year, and the rental contract comes to end.**

The Gemara comments: **Even according to the one who said that one day in a year is considered a year, it is different here, with regard to rental halakhot, as a person does not take the trouble to rent a house for less than thirty days.** Therefore, if one rented a house after the first of Adar, the remaining days of Adar are not considered a full year.

The Gemara asks: **But why not say that the first of Tishrei^N is the New Year for the renting of houses, and so if one rents a house for a year in the summer the year would come to an end in Tishrei?** The Gemara answers: **A person who rents a house without specification intends to rent it for all of the rainy season, until Nisan, when the rainy season comes to a close.**

The Gemara asks: **And why didn't the first tanna of the baraita and the tanna of our mishna^N include the first of Nisan as the New Year for the renting of houses?** They hold that **even in Nisan it is common that the sky becomes covered with clouds^B and rain falls.** Therefore, one who rents a house does not have in mind to rent it only until the first of Nisan, as presumably he does not want to find himself in a situation where he is homeless when it is still raining.

The mishna states: **On the first of Elul is the New Year for animal tithes.** The Gemara comments: **Who is the author of the opinion cited in this mishna? It is Rabbi Meir, as it is taught in a mishna that Rabbi Meir says: On the first of Elul is the New Year for animal tithes.^B**

The Gemara asks: **And with regard to the Festivals, i.e., that the first of Nisan is the New Year for Festivals, who is the author of the opinion cited in the mishna? It is Rabbi Shimon, who holds that one transgresses the prohibition against delaying only if the three Festivals have passed in their proper order, with Passover first. Say the last clause of the mishna, which states that Rabbi Elazar and Rabbi Shimon say: The New Year for animal tithes is on the first of Tishrei. Can it be that the first clause and the last clause follow the opinion of Rabbi Shimon, while the middle clause relating to animal tithes follows the opinion of Rabbi Meir?**

Rav Yosef said: The entire mishna is in accordance with the opinion of Rabbi Yehuda HaNasi, and he takes the mishna according to the opinions of different *tanna'im*. **With regard to the Festivals, he holds in accordance with the opinion of Rabbi Shimon, while with regard to animal tithes he holds in accordance with the opinion of Rabbi Meir.**

The Gemara raises a difficulty: **If so, how are there four New Years? If the tanna of the mishna holds that the first of Elul is the New Year for animal tithes, there are five^N New Years: The first of Nisan, the fifteenth of Nisan, the first of Elul, the first of Tishrei, and the fifteenth of Shevat. Rava said: There are only four New Years according to each opinion: There are four according to Rabbi Meir, who removes the New Year for Festivals, as according to him there is no fixed time from which to begin counting the Festivals. According to Rabbi Shimon's opinion as well there are four New Years, for he removes the New Year for animal tithes, as according to him it is on the first of Tishrei, which is already listed.**

The New Year for the omer offering – ראש השנה לעומר – The sixteenth of Nisan is the New Year for the *omer* offering. The new year's grain is permitted only after the *omer* offering has been brought in the Temple. Since the destruction of the Temple, new grain is permitted on the morning of the following day, the seventeenth of Nisan. Outside of Eretz Yisrael the new grain is permitted only on the day after that, the eighteenth of Nisan (*Shulhan Arukh, Yoreh De'a 293:1*). Similarly, with regard to meal-offerings, it is prohibited to bring a meal-offering from the new grain before the *omer* offering is brought; if one did so, it does not become sanctified (*Rambam Sefer Avoda, Hilkhot Temidin UMusafin 7:3*).

The New Year for the two loaves – ראש השנה לשתני הלחם – One should not bring a meal-offering from the new grain or first fruits to the Temple before the two loaves offering, but if he did so, it is valid (*Rambam Sefer Avoda, Hilkhot Temidin UMusafin 8:1*).

רב נחמן בר יצחק אמר: ארבעה חדשים, ובהן כמה ראשי שנים.

מיתבי: ששה עשר בניסן ראש השנה לעומר, ששה בסיון ראש השנה לשתני הלחם. לרבא ליתני ששה, לרב נחמן בר יצחק ליתני חמשה!

אמר רב פפא: כי קא חשיב מידי דחיל מאורתא, מידי דלא חיל מאורתא לא קא חשיב.

והרי רגלים, דלא חילי מאורתא וקחשיב! כיון שצריך לאיתווי מעיקרא מיחייב וקאי.

והרי יובלות, דלא חילי מאורתא וקחשיב! רבי ישמעאל בנו של רבי יוחנן בן ברוקא היא, דאמר: מראש השנה חיל יובל.

רב שישא בריה דרב אידי אמר: כי קא חשיב – מידי דלא תלי במעשה; מידי דתלי במעשה לא קא חשיב.

והרי רגלים, מידי דתלי במעשה וקא חשיב! "בל תאחר" ממילא חיל.

Rav Nahman bar Yitzhak said an alternative answer: The mishna is to be understood as follows: There are **four months in which there are several New Years**, since in Nisan, according to Rabbi Meir, there are two New Years: For kings on the first and for Festivals on the fifteenth.

The Gemara raises an objection from the following *baraita*: **The sixteenth of Nisan is the New Year for the omer offering**,^h as from this date onward it is permitted to eat from the new crop of grain. **The sixth of Sivan is the New Year for the two loaves**,^h i.e., the public offering of two loaves from the new wheat brought on *Shavuot*, as from this day onward it is permitted to sacrifice meal-offerings in the Temple from the new grain. If so, according to Rava, let the mishna teach that there are six New Years, including the sixteenth of Nisan and the sixth of Sivan, and according to Rav Nahman bar Yitzhak let it teach that there are five New Years, since Sivan is a month in which there is a New Year.

Rav Pappa said: When the *tanna* of the mishna counts New Years, he counts only those that begin in the evening; those that do not begin in the evening^h he does not count. Since the New Years associated with the *omer* and the two loaves do not begin in the evening but only from the time that they are sacrificed, he does not include them.

The Gemara asks: **But there is the New Year for Festivals, which does not begin in the evening**, as the prohibition against delaying is not transgressed in the evening, when the Festival begins, but only in the morning, after the daily offering has been brought and one is able to bring the vowed animal to the altar, and nevertheless the *tanna* counts it. The Gemara answers: **Since he had to bring his vow by the Festival, he stands liable from the beginning of the Festival for transgressing the prohibition against delaying.**

The Gemara asks further: **But there is New Year for the Jubilee, which does not begin in the evening** but from the time of the *shofar* blast on Yom Kippur during the day, and nevertheless the *tanna* counts it. The Gemara answers: The mishna is in accordance with the opinion of Rabbi Yishmael, son of Rabbi Yohanan ben Beroka, who said that the Jubilee Year begins on Rosh HaShana, and the blowing of the *shofar* merely completes the release of the slaves. Therefore, the New Year for the Jubilee is included.

Rav Sheisha, son of Rav Idi, said a different explanation for why the New Year for the *omer* offering and the New Year for the two loaves are not mentioned in the mishna: **When the tanna of the mishna counts New Years, he counts only those that do not depend upon an action; those that depend upon an action, e.g., the offering of the omer or the two loaves, he does not count.**

The Gemara asks: **But there is the New Year for the Festivals, which depends upon an action**, i.e., the sacrifice of the daily offering, since no offering may be brought before the daily offering, and nevertheless the *tanna* counts it. The Gemara answers: This is not so, as the transgression of the prohibition: **You shall not delay**, does not depend upon anything else; rather, it begins on its own as soon as the Festival begins.

NOTES

דלא חיל מאורתא – Those that do not begin in the evening – The early authorities ask: Even though offerings cannot be brought in the evening but only after the daily offering brought the next morning, why can't the obligation for other vows and charity be fulfilled straight away in the evening? Some answer

that payment of monetary vows cannot be given at night, since it is prohibited to use money on the first day of a Festival. Therefore, their time is only after the Festival (Ran). Others propose that since the objection is raised with regard to offerings, the Gemara did not consider all of the other sides of the ques-

tion (Ritva). It would seem that some of the early authorities had a version of the text that did not have the words: Since he had to bring his vow by the Festival he stands liable from the beginning, and consequently, they explained the Gemara differently.