

HALAKHA

And these families took the initiative and donated wood from their own property – וְעָמְדוּ אֵלָיו וְנִתְּנָדְבוּ יַעֲצִים מִשְׁלָם – עֲצֵמֶן: Some families had a set day during the year when they would go out to the forests and collect wood for the pyre on the altar. On that day, they would also sacrifice voluntary offerings. This was known as the offering of the wood. The families treated that day like a holiday and refrained from delivering eulogies, fasting, and performing labor (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 6:9).

מִשְׁלָם צְבוּר.

גַּמְ' מַה רָאָה זְמַן עֲצֵי כֹהֲנִים וְהָעַם לְהִימָנוּת?

from communal funds and not from any one individual. If one were to volunteer his services, he would acquire the grain for himself by guarding it and transporting it to the Temple. In that case, these offerings would have come from an individual. So that the offerings come solely from communal funds, the guards must receive payment from the half-shekels removed from the chamber.

**GEMARA** The mishna mentions a dispute about whether an individual may volunteer his services and guard the grain to be used for the *omer* and the two loaves. This dispute depends on whether something owned or donated by an individual may be brought as a communal offering. With regard to this issue, the Gemara cites a *baraita* related to a mishna (*Ta'anit* 26a). The mishna lists days on which special offerings were brought, including wood donated on a regular basis by particular families for use on the altar. This time period was referred to as the time of the wood of the priests and of the nation. It was taught in a *baraita*: **Why was the time of the wood of the priests<sup>N</sup> and of the nation fit to be counted in the mishna when any individual may donate wood at any time? What makes these families and these times unique?**

אֵלָּא בְּשָׁעָה שֶׁעָלוּ יִשְׂרָאֵל מִן הַגּוֹלָה וְלֹא מֵצֵאוּ יַעֲצִים בְּלִשְׁכָּה, וְעָמְדוּ אֵלָיו וְנִתְּנָדְבוּ יַעֲצִים מִשְׁלָם עֲצֵמֶן, וּמִסְרוּם לְצְבוּר, וְקָרְבוּ מִהֵן קִרְבָּנוֹת צְבוּר. וְהִתְנֵנוּ עִמָּהֶן נְבִיאִים שְׂבִימִיָּהוּ, שְׂאִפִּילוּ לְשִׁכָּה מְלִיאָה יַעֲצִים, וְעָמְדוּ אֵלָיו וְנִתְּנָדְבוּ יַעֲצִים מִשְׁלָם עֲצֵמֶן – שְׁלֹא יִהְיֶה קִרְבָּן מִתְקַרֵּב אֵלָּא מִשְׁלָלָהֶן תְּחִילָּה.

The *baraita* explains: **Rather, at the time that the Jewish people ascended from the Babylonian exile and returned to Eretz Yisrael with Ezra, they did not find wood in the Temple chamber of wood for the altar, due to a lack of funds in the Temple treasury. And these families took the initiative and donated wood from their own property<sup>h</sup> and gave it to the community; and they offered communal offerings with it. And the prophets among them stipulated with them that, in the future, even if the chamber were full of wood, if these families took the initiative and donated wood from their own property, the offerings would be brought using only theirs first.** Consequently, the *baraita* indicates that communal offerings may come from individual funds.

אָמַר רַבִּי אֲחָא: דְּרַבִּי יוֹסֵה הִיא. דְּרַבִּי יוֹסֵה אוֹמַר: אִף הַרוּצָה מִתְּנַדֵּב שׁוֹמֵר חֲנָם. רַבִּי יוֹסֵי בְּשֵׁם רַבִּי אֵילָא: דְּבַרִּי הַכֵּל הִיא, מַה פְּלִיגִין – בְּגוֹפוֹ שֶׁל קִרְבָּן, אֲבָל בְּמַכְשֵׁירֵי קִרְבָּן – כֹּל עֵמָּא מוֹדֵי שֶׁהוּא מִשְׁתַּנָּה קִרְבָּן יָחִיד לְקִרְבָּן צְבוּר.

**Rabbi Aḥa said: This baraita is in accordance with the opinion of Rabbi Yosei, as Rabbi Yosei says: One who so desires may even volunteer his services and guard the grain as an unpaid bailee.** However, according to the opinion of the Rabbis, which maintains that one may not donate his services, an individual may not donate the wood for the pyre on the altar. **Rabbi Yosei, an amora, said in the name of Rabbi Ila: That baraita is a statement accepted by all.** If so, with regard to what do the Rabbis and Rabbi Yosei, the *tanna*, disagree?<sup>N</sup> **With regard to the offering itself. However, with regard to items that merely facilitate an offering, everyone agrees that an individual offering may be changed to a communal offering, i.e., that an individual may donate items that facilitate the sacrifice of a communal offering.**

NOTES

**The time of the wood of the priests – זְמַן עֲצֵי כֹהֲנִים:** During the time of Ezra and Nehemiah, there were families that volunteered to donate wood offerings to the Temple at specific times of the year, due to financial pressures facing the Temple treasury. The mishna lists their names (*Ta'anit* 26a). Eventually, donations of wood were no longer necessary. Still, the days on which these families donated the wood were established for them as days of family celebration, and they continued to donate wood to the Temple at these times. The mishna lists nine days on which these families contribute the wood for use on the altar.

**With regard to what do the Rabbis and Rabbi Yosei disagree – מַה פְּלִיגִין:** There is the following distinction, between offerings, about which the *tanna'im* disagree whether or not an individual offering may be changed into a communal offering, and items that facilitate the sacrificing of an offering, which all agree may be donated by an individual: A communal offering must come

from public funds, as the public cannot fulfill its obligation or receive atonement, even after the fact, with an offering that is not its own. Some *tanna'im* held that the offering of an individual should not be used for a communal offering, due to a concern that the individual would not fully intend to transfer its ownership to the public. However, with regard to items that facilitate the sacrificing of an offering, even if they belong to an individual, they do not prevent the offering from being valid after the fact. Therefore, all agree that there is no reason to be concerned lest an individual not fully intend to transfer the item (*Mikdash David, Kodashim* 35). Some explain that since the main concern is to negate the opinion of the Sadducees that the daily offering may come from an individual (see *Menaḥot* 65a), there was concern only with regard to the offering itself, but not with regard to the items that facilitate its sacrifice (*Hazon Nahum*).

**אִשָּׁה שֶׁעָשְׂתָה – כְּתוּבָת לְבָנָה**: A woman who made a tunic for her son – *ketubat lebaneh*: The priestly vestments must be purchased with communal funds. An individual who wanted to donate a garment for a priest first had to donate it to the community. Only then was the priest permitted to use it for service in the Temple, in accordance with the *baraita* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 8:7).

**חוץ מן העומר – וְשְׁתֵי לֶחֶם**: Except for the *omer* and the two loaves – *u-sheti lechem*: All meal-offerings and libations may come from produce grown in Eretz Yisrael or abroad, and they may be produced from the old or new crop, as long as they are of high quality. The exception is the *omer* and the two loaves, which must come from new grain and from Eretz Yisrael, in accordance with the mishna in tractate *Menahot* (Rambam *Sefer Avoda, Hilkhot Issurei Mizbe'ah* 6:15 and *Hilkhot Temidin UMusafin* 7:5, 8:2).

BACKGROUND

**סוריא – Syria**: Syria is the name used in the Mishna and Gemara to refer to the lands north and northeast of Eretz Yisrael that were conquered by King David. Their biblical names for these areas are Aram, Aram of Damascus, and Aram-Tzobah. Talmudic Syria includes much of modern-day Syria and Lebanon, although the border of Eretz Yisrael was farther north than the border of the State of Israel. Syria has an intermediate halakhic status; it has a lesser level of sanctity than Eretz Yisrael but some of the *halakhot* pertaining to the Land apply to it. Some authorities account for this status by explaining that since it was conquered by King David, it is classified as the conquest of an individual, rather than as the conquest of the whole people of Israel.



View of Syria as seen from the Golan Heights

**תָּנִי: אִשָּׁה שֶׁעָשְׂתָה כְּתוּבָת לְבָנָה – בְּשִׁירָה, וּבְלִבָּד שֶׁתִּמְסְרָהּ לְצַבּוּר.**

The Gemara raises a similar issue. **It was taught in a *baraita***: In the case of a woman who made a tunic, one of the priestly vestments, for her son<sup>H</sup> to wear while he serves in the Temple, the tunic is valid. However, since the priestly vestments must come from communal funds, the priest may use his mother's tunic in the Temple only provided that she completely transfers ownership of the tunic to the community.

**אָמַר רַבִּי אֶחָא: דְּרַבִּי יוֹסֵי הִיא, דְּרַבִּי יוֹסֵי אוֹמֵר: אִף הַרוּצָה מִתְנַדֵּב שׁוֹמֵר חֲנֻם. רַבִּי יוֹסֵי בִּשְׁם רַבִּי אֵילָא: דְּבַרִּי הַכֵּל הִיא, מַה פְּלִיגִין – בְּגוּפוֹ שֶׁל קִרְבָּן, אֲבָל בְּמַכְשָׁרֵי קִרְבָּן – כֹּל עֲמַא מוּדֵי שְׁהוּא מְשַׁתְּנָה קִרְבָּן וַחֲדִי לְקִרְבָּן צַבּוּר.**

Rabbi Aḥa said: This *baraita* is in accordance with the opinion of Rabbi Yosei, as Rabbi Yosei says: **One who so desires may donate even his services and guard the grain as an unpaid watchman. Rabbi Yosei, an *amora*, said in the name of Rabbi Ila: That *baraita* is a statement accepted by all. If so, with regard to what do the Rabbis and Rabbi Yosei disagree? With regard to the offering itself. However, with regard to items that merely facilitate an offering, everyone agrees that an individual offering may be changed to a communal offering.**

**מִתְנַתָּא פְּלִיגִי עַל רַבִּי יוֹסֵי: אוֹתָן הַיָּמִים נוֹהֲגִין בְּשַׁעַת קִרְבָּן וְשׁוֹלָא בְּשַׁעַת קִרְבָּן. רַבִּי יוֹסֵי אוֹמֵר: אֵינָן נוֹהֲגִין אֲלָא בְּשַׁעַת קִרְבָּן בְּלִבָּד.**

A *baraita* disagrees with Rabbi Aḥa's explanation of the dispute between Rabbi Yosei and the Rabbis: **Those days of family celebrations, on the occasion of donating wood for the altar, are observed both during the time when one can bring an offering, i.e., when the Temple stands, and during the time when no offering can be brought, i.e., when there is no Temple; nevertheless the family still holds a celebration on those dates. Rabbi Yosei says: They are observed only during the time of offering.** This *baraita* demonstrates that even the Rabbis, who disagree with Rabbi Yosei, admit that individuals can donate wood for the pyre, which is why they celebrated this event during the time of the Temple.

**עוֹד מִן הַדָּא, דְּתַנָּא אָמַר רַבִּי אֵילְעָזָר בִּי רַבִּי צְדוֹק: אֲנִי הֵינִי מִבְּנֵי סְנָאָה בֶּן בְּנִימִין, וְחָל תְּשַׁעָה בְּאַב לְהוֹיֹת בְּשַׁבָּת, וְדַחֲיֵנו אוֹתוֹ לְמוֹצָאֵי שַׁבָּת וְהֵינִי מִתְעַנִּין וְלֹא מִשְׁלִימִין.**

The Gemara cites an additional source with regard to this topic, as it was taught in a *baraita* that Rabbi Eliezer, son of Rabbi Tzadok, said: **We were among the descendants of Senaah,<sup>N</sup> son of the tribe of Benjamin, a family that donated wood to the Temple on the tenth of Av. And one year, the Ninth of Av occurred on Shabbat, and we postponed the fast until the conclusion of Shabbat, in accordance with the *halakha*. And we fasted but did not complete the fast, due to our family celebration. Apparently, the family continued to commemorate the offering of wood even after the destruction of the Temple, as there was no fast of the Ninth of Av while the Temple stood. Had the original donation of wood been only for individual offerings, the celebration of that donation would not have continued after the destruction of the Temple. Therefore, this *baraita* indicates that Rabbi Ila's understanding is correct, and even the Rabbis agree that with regard to items that facilitate an offering, an individual offering may be changed into a communal offering.**

**“הָעוֹמֵר וְשְׁתֵי הַלֶּחֶם וְלֶחֶם הַפָּנִים וְכָל קִרְבָּנוֹת הַצַּבּוּר.” תָּמַן תִּנְיִן: כָּל קִרְבָּנוֹת הַיְחִיד וְהַצַּבּוּר בָּאִין מִן הָאָרֶץ וּמִן חוּצָה לָאָרֶץ, מִן הַחֲדָשׁ וּמִן הַיָּשׁוּן. חוּץ מִן הָעוֹמֵר וְשְׁתֵי לֶחֶם שְׂאִין בָּאִין אֲלָא מִן הַחֲדָשׁ וּמִן הָאָרֶץ.**

**S** The mishna teaches that the collection of the Temple treasury was used to purchase the necessary items for the *omer*, and the two loaves, and the shewbread, and all communal offerings, as well as for the salary of those guarding the *sefihin*. **We learned in a mishna there (*Menahot* 83b): All the grain for individual and communal offerings may come both from Eretz Yisrael and from outside of Eretz Yisrael. It may come both from new grain that grew after the offering of the *omer* the previous year and from old grain, except for the *omer* itself and the two loaves,<sup>H</sup> which may come only from new grain and from Eretz Yisrael.**

**רַב חוּנָה בִּשְׁם רַבִּי יִרְמְיָה: דְּרַבִּי יִשְׁמַעֵאל הִיא, דְּרַבִּי יִשְׁמַעֵאל אוֹמֵר: אֵין הָעוֹמֵר בָּא מִן סוּרְיָא.**

Rav Huna said in the name of Rabbi Yirmeya: The mishna is in accordance with the opinion of Rabbi Yishmael, as Rabbi Yishmael says: **The *omer* may not come from Syria<sup>BN</sup> or any other location outside of Eretz Yisrael.**

NOTES

<sup>A</sup> אֲנִי הֵינִי מִבְּנֵי סְנָאָה – We were among the descendants of Senaah – <sup>B</sup> סְנָאָה: Had the donation of the wood been considered merely an individual donation, the day of its donation would have been celebrated during the time of the Temple, but not after its destruction. From the fact that the practice continued even

after the destruction, even to the point of delaying the fast, it is clear that the donation was considered a communal offering.

<sup>C</sup> אֵין הָעוֹמֵר בָּא מִן סוּרְיָא – The *omer* may not come from Syria – <sup>D</sup> סוּרְיָא: Rabbi Yishmael holds that the *omer* may not come

from grain grown anywhere outside of Eretz Yisrael. He nonetheless specified that it may not come from Syria, in order to indicate that although Syria is like Eretz Yisrael for some matters, the barley used for the *omer* may not be grown there.

Eretz Yisrael is more sanctified than all other lands – אֶרֶץ יִשְׂרָאֵל מִקְדָּשׁ מִכָּל הָאֲרָצוֹת, וְמַה הֵיא קְדוּשָׁתָהּ – שְׂמִיּאִין מִמֶּנָּה הָעוֹמֵר וְהַבִּיכּוּרִים וְשְׂתֵי לֶחֶם, מִה שְׂאִין מִבֵּיאִין בֵּן מְּכַל הָאֲרָצוֹת. רַבִּי חֵייא בְּשֵׁם רַבִּי יִרְמִיָהּ: דְּרַבִּי יִשְׁמָעֵאל הֵיא, דְּרַבִּי יִשְׁמָעֵאל אָמַר: אֵין הָעוֹמֵר בָּא מִן הַסּוּרְיָא.
The sanctity of Eretz Yisrael is expressed through the fact that the omer, the first fruits, and the two loaves may be brought only from produce grown in Eretz Yisrael (Rambam Sefer Avoda, Hilkhot Beit HaBehira 7:12).
Harvesting of the omer...as it is a mitzva – קְצִיר הָעוֹמֵר – שְׂהוּא מִצְוָה: The omer must be harvested on the night of the sixteenth of Nisan, whether it occurs during the week or on Shabbat, in accordance with the opinion of Rabbi Yishmael (Rambam Sefer Avoda, Hilkhot Temidin UMusafin 7:6).

תָּמֹן תִּגְנֹן: עֶשֶׂר קְדוּשׁוֹת הֵן. אֶרֶץ יִשְׂרָאֵל מִקְדָּשׁ מִכָּל הָאֲרָצוֹת, וְמַה הֵיא קְדוּשָׁתָהּ – שְׂמִיּאִין מִמֶּנָּה הָעוֹמֵר וְהַבִּיכּוּרִים וְשְׂתֵי לֶחֶם, מִה שְׂאִין מִבֵּיאִין בֵּן מְּכַל הָאֲרָצוֹת. רַבִּי חֵייא בְּשֵׁם רַבִּי יִרְמִיָהּ: דְּרַבִּי יִשְׁמָעֵאל הֵיא, דְּרַבִּי יִשְׁמָעֵאל אָמַר: אֵין הָעוֹמֵר בָּא מִן הַסּוּרְיָא.

תָּמֹן תִּגְנֹן, רַבִּי יִשְׁמָעֵאל אָמַר: מִה קְצִיר רְשׁוּת – אֵף קְצִיר רְשׁוּת, יִצָּא קְצִיר הָעוֹמֵר שְׂהוּא מִצְוָה.

רַבִּי יִשְׁמָעֵאל כִּדְּעִתִּיהּ, דְּרַבִּי יִשְׁמָעֵאל דָּאָמַר: אֵין הָעוֹמֵר בָּא מִן הַסּוּרְיָא, כִּדְּעִתִּיהּ דָּאָמַר יִצָּא קְצִיר הָעוֹמֵר שְׂהוּא מִצְוָה.

מָאן תִּנָּא שׁוּמְרֵי סְפִיחִין בְּשַׁבְעִיעִית נוֹטְלִין שִׁכְרָן מִתְרוּמַת הַלֵּשֶׁבֶת – רַבִּי יִשְׁמָעֵאל הֵיא. אָמַר רַבִּי יוֹסֵה: דְּבְרֵי הַכֹּל הֵיא. לֹא מְצָאוּ בַסּוּרְיָא – מִבֵּיאִין אוֹתָן מִסְפִּיחִין שְׂבָאָרֶץ יִשְׂרָאֵל.

The Gemara cites a similar discussion. We learned in a mishna there (Kelim 1:6): There are ten levels of sanctity. Eretz Yisrael is more sanctified than all other lands.<sup>H</sup> And through what halakha is its sanctity expressed? It is evident in the halakha that they must bring from it the omer, the first fruits, and the two loaves, which may not be brought from the produce of any other lands. Rabbi Hiyya said in the name of Rabbi Yirmeya: This mishna is in accordance with the opinion of Rabbi Yishmael, as Rabbi Yishmael said: The omer may not come from Syria or any other location outside of Eretz Yisrael.

Similarly, we learned elsewhere in a mishna (Shevi'it 1:4) that Rabbi Yishmael says that the verse “In plowing time and in harvest you shall rest” (Exodus 34:21) is not referring to the prohibition against farming the land during the Sabbatical Year, as the Rabbis explain. Rather, it is referring to the prohibition against performing labor on Shabbat. The reason that the verse mentions these two particular forms of labor is to teach that just as the plowing that is prohibited on Shabbat is an otherwise voluntary act, as plowing is never required by the Torah, so too, the harvesting that is prohibited on Shabbat is voluntary. The harvesting of the omer is excluded from the prohibition, as it is a mitzva.<sup>H</sup> The barley for the omer must be harvested on the sixteenth of Nisan, even if it occurs on Shabbat.

Rabbi Yishmael is consistent with his own opinion in this matter, as it is Rabbi Yishmael who said: The omer may not come from Syria or any other location outside of Eretz Yisrael. This is consistent with his opinion stated elsewhere, as he said: The harvesting of the omer is excluded from the prohibition on Shabbat, as it is a mitzva. Since Rabbi Yishmael requires that the omer come from Eretz Yisrael, it must be permitted to harvest it during the Sabbatical Year, despite the fact that harvesting is generally prohibited during the Sabbatical Year. This is consistent with Rabbi Yishmael’s opinion that the omer is excluded from the category of prohibited labor on Shabbat because harvesting it is a mitzva; the same holds true for the Sabbatical Year as well.

The Gemara asks with regard to the mishna: Who is the tanna who taught: The guards of sefihin during the Sabbatical Year collect their wages from the collection of the Temple treasury chamber? It is Rabbi Yishmael. It is apparent from the mishna that the omer must come from Eretz Yisrael; otherwise, there would be no need to hire guards to ensure that there be barley available to use, as it could be imported from outside Eretz Yisrael. Rabbi Yosei said: The mishna is a statement accepted by all, even by those who hold that the omer may be brought from outside of Eretz Yisrael. According to this opinion, if they could not find barley in Syria or anywhere else outside of Eretz Yisrael, they would bring the omer from sefihin that were in Eretz Yisrael.<sup>N</sup> Therefore, the guards were still necessary.

NOTES

They would bring the omer from sefihin that were in Eretz Yisrael – מִבֵּיאִין אוֹתָן מִסְפִּיחִין שְׂבָאָרֶץ יִשְׂרָאֵל – Produce grown during the Sabbatical Year has certain level of sanctity. In light of the principle that an obligatory offering must come from unconsecrated items, it is difficult to understand how the omer could be brought from such produce. A possible explanation is that only offerings that provide atonement, such as sin-offerings, guilt-offerings, and even burnt-offerings and peace-offerings must be brought from unconsecrated items. However, the omer is brought to permit eating the new grain and not to provide atonement, and therefore it is not subject to this principle (Rav Menahem Zemba, Otzar HaSifra).



ההן עומר מהו שזרע בתחילה? רבי חייא בר אדא בעי קומי רבי מנא: לא נמצא בקומץ על השירים שאינן נאכלין.

Since it is permitted to harvest the *omer* even during the Sabbatical Year, the Gemara asks: With regard to **that omer**, if it becomes clear that there are no *sefihin* in a particular Sabbatical Year, **what is the halakha concerning planting it *ab initio***? When Rabbi Hiyya bar Adda heard this question, **he asked, in the presence of Rabbi Mana**: In general, a handful of a meal-offering is burned on the altar, and the remainder of the meal-offering may be eaten by the priests. If the remainder may not be eaten by the priests, the entire offering is invalid. In the case under discussion, if one were to plant barley during the Sabbatical Year, **would it not be comparable to the case of a handful of a meal-offering whose remainder may not be eaten,**<sup>h</sup> as it is prohibited to eat produce that is planted during the Sabbatical Year?

אמר ליה: נעשה בחמשה דברים שהן באין בטומאה ואין נאכלין בטומאה.

Rabbi Mana said to him: The *omer* is nonetheless valid, as it becomes like the five offerings that may be brought in a state of ritual impurity but may not be eaten in a state of impurity. There is a mishna in tractate *Pesahim* (76b) that lists five communal offerings that are offered in a state of impurity under certain circumstances; however, they may not be eaten in a state of impurity. Similarly, the *omer* that is brought from barley that was planted during the Sabbatical Year is valid, despite the fact that after the handful is burned on the altar, the remainder of the meal mixture may not be eaten.

ביצד הוא עושה? נוטל מעות מן השולחני ונותן לקוצרין ולשומרין עד שלא יקרב העומר, ומביא מעות מתרומת הלשכה ומחללין עליו.

§ The Gemara asks: **How does the treasurer do this**, i.e., pay the salaries to the guards and harvesters from the chamber collection? The money in the Temple treasury is consecrated property, and consecrated property may be desacralized only through redemption (*Arakhin* 33a). The Gemara answers: **He takes money from the money changer and gives that money as payment to the harvesters and to the guards before the omer is offered.** Once the time for offering the *omer* arrives, **he brings money from the collection of the Temple treasury chamber and desacralizes it by transferring its sanctity onto the barley that is to be used for the omer.** This money now becomes unconsecrated and is used to repay the money changer.

וטבות כן? רבי אחא בשם רבי בא: כל מה שיתן הן הן דמיו משעה הראשונה.

The Gemara asks: **Is this acceptable?**<sup>n</sup> The monetary value of the *omer*, which is used to desacralize the funds, is far less than the amount paid to the harvesters and guards. The Gemara answers. **Rabbi Aha said in the name of Rabbi Ba: Whatever the treasurer gives them as payment is considered to be its monetary value<sup>n</sup> from the beginning of the process**, even if the barley is worth considerably less on the open market.

תנא: אף בפתחי אבנים כן. ביצד הוא עושה? נוטל מעות משולחני ונותן לחוצבין ולסתתין עד שלא תינתן על גבי הדימוס, ומשנתן על הדימוס – מביא מעות מתרומת הלשכה ומחללין עליו.

On a similar note, **it was taught in a baraita**: It is **even so with regard to stoneworkers**, who hew stones from mountains and cut them for use in the Temple. They too receive their salary from the Temple treasury. **How does the treasurer do this? He takes money as a loan from a money changer and gives it as payment to the ledgemen and to the stoneworkers<sup>h</sup> before the stone is placed on the row [*dimos*]<sup>l</sup> that is being built. Once it is placed on the row, he brings money from the collection of the chamber and desacralizes it onto the stones.** In this way, the stones become consecrated and the money becomes unconsecrated. That money is then used to repay the money changer.

וטבת כן? רבי יוסי בי רבי בון בשם שמואל כל מה שיתן הן הן דמיה משעה הראשונה.

The Gemara asks: **Is this acceptable?** The workers are paid for all their labor, yet some of the stones become broken and unfit for use. Therefore, the amount of money spent by the treasury is more than the actual value of the stones placed on the structure of the Temple. **Rabbi Yosei, son of Rabbi Bun, said in the name of Shmuel: Whatever the treasurer gives them as payment is considered to be the monetary value of the stones from the beginning.** The value of the stones that are used includes the value of the stones that broke during the process.

A handful of a meal-offering whose remainder may not be eaten – **בקומץ על השירים שאינן נאכלין** – If one took the handful of a meal-offering, and the remainder of the offering subsequently became ritually impure, was burned, was removed from the Temple courtyard, or was lost, the handful may not be offered on the altar. However, if it was offered, the offering is accepted. If even a small amount of the remainder is fit to be eaten, one may offer the original handful on the altar, but the remainder may not be eaten (Rambam *Sefer Avoda, Hilkhhot Pesulei HaMukdashin* 11:20).

He takes money from a money changer and gives it as payment to the ledgemen and to the stoneworkers, etc. – **נוטל מעות משולחני ונותן לחוצבין ולסתתין וכו'**: One may not desacralize consecrated property by using it to pay a laborer his wages. Rather, one must desacralize it onto money. Therefore, an artisan who performs labor for the Temple may not be given a consecrated animal or garment as his wages. Rather, these items must be desacralized onto money; once they are no longer consecrated, they may be given to the artisan as his wages. The Temple treasurer may then buy back the animal or the garment with funds from the collection of the chamber. This is in accordance with the *baraita* (Rambam *Sefer Avoda, Hilkhhot Me'ila* 8:3).

## NOTES

ונותן – **And gives to the harvesters...is this acceptable** – **לקוצרין...וטבות כן**: This question is based on the fact that they would harvest ten times the amount of grain needed for the actual *omer* offering. This is explained in the Mishna (*Menahot* 76b), which teaches that they would sift the flour produced from three *se'a* of barley with thirteen sifters, each of which was thinner than the previous one, until the proper amount, one-tenth of an ephah, was collected.

Whatever the treasurer gives them is considered to be its monetary value – **כל מה שיתן הן הן דמיו**: Some explain this to mean that the guards were paid only for the barley actually used for the *omer* and not for all the barley that was harvested. The same was true with regard to the stones used for the Temple, mentioned later: The stoneworkers were paid only for the stones that were actually used (*Tiklin Hadatin*).

## LANGUAGE

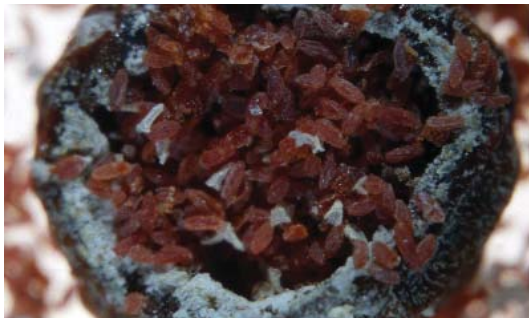
Row [*dimos*] – **דימוס**: From the Greek δόμος, *domos*, a layer of stones or bricks in a building.

BACKGROUND

The strip of crimson wool – לְשׁוֹן שֵׁל זְהוּרִית: This strip is a bundle of combed wool shaped somewhat like a tongue. It is dyed a shade of red called carmine, which is produced from the blood of the *tola'at shani*, a type of insect. Current research suggests that the *tola'at shani* is the scale insect *Kermes echinatus*, which feeds on the sap of evergreen trees and is found in Israel.



*Kermes echinatus* gravid females on tree trunk



Female *Kermes echinatus* with eggs



Left: Dried female *Kermes echinatus* with eggs. Right: Dyed wool.



Left: Boiled solution after wool has been added (orange). Right: Boiled solution with *Kermes echinatus* (red).

הַלֵּכָה בַּמַּתְנִי פָּרָה, וְשִׁעִיר  
הַמִּשְׁתַּלַּח, וְלִשׁוֹן שֵׁל זְהוּרִית –  
בְּאֵין מִתְרוּמַת הַלְּשָׁכָה.

**HALAKHA 2 · MISHNA** The red heifer,<sup>N</sup> the scapegoat,<sup>N</sup> and the strip of crimson wool<sup>BN</sup> used in the process of burning the red heifer all come from the collection of the Temple treasury chamber,<sup>H</sup> despite the fact that they are not sacrificial offerings.

NOTES

**Red heifer – פָּרָה אֲדוּמָה:** The red heifer is purchased with funds from the collection of the Temple treasury chamber, although it is not a sacrificial offering, it is not slaughtered in the courtyard, and it is not offered on the altar. The reason it is purchased with these funds is that it is needed by the priests who conduct the Temple service. A priest who contracts ritual impurity due to a corpse has water mixed with the ashes of the red heifer sprinkled on him on the third and seventh days of his purification process. Therefore, the red heifer is considered a facilitator of sacrificial offerings (*Tosafot* on *Bava Kamma* 77b). Some explain that the funds of the Temple chamber is used because the Torah refers to the red heifer as a sin-offering (Numbers 19:9; see *Avoda Zara* 23b; *Talmid HaRashbash*; Mahara Fulda; *Korban HaEida*; *Tiklin Hadatin*).

**The scapegoat – שִׁעִיר הַמִּשְׁתַּלַּח:** The scapegoat is purchased with funds from the collection of the Temple treasury chamber, although it is not slaughtered and it is not offered on the altar. This is because the scapegoat atones for the nation's sins, and therefore it is similar to a communal offering (*Talmid HaRashbash*). Some explain that these funds are used because two goats are purchased together, and it is not known which one will be offered in the Temple and which one will be the scapegoat. Therefore, at the time of purchase they are both considered offerings (Mahara Fulda; *Korban HaEida*; *Tiklin Hadatin*).

**Strip of crimson wool – לְשׁוֹן שֵׁל זְהוּרִית:** As part of the process of burning the red heifer, the priest takes cedar wood, hyssop stalk, and a strip of crimson wool and casts them into the burning heifer (Numbers 19:6). Since all of these items are necessary ingredients, they are considered to have the same status as the heifer itself, and they are

therefore purchased with funds from the collection of the Temple treasury chamber. The mishna does not mention the cedar or hyssop, but it does specifically mention the crimson thread, in order to distinguish it from the other crimson thread that is tied between the horns of the scapegoat, which may be purchased only with the leftover funds of the chamber (Rabbeinu Meshulam; *Korban HaEida*; *Tiklin Hadatin*).

Some commentaries explain that the strip of crimson wool mentioned here is a reference to that of the scapegoat. This strip is tied around the goat's head after the lottery to indicate that it is the scapegoat. Since it is necessary to distinguish the two goats from one another, this thread is considered a necessary component of the offering and is purchased with the collection of the chamber. The thread referred to later in the mishna as the thread between the goat's horns is the one that is split into two parts. One part of it is tied to the scapegoat's horns, and the other part is tied to the stone where the goat was pushed off the cliff. Since that thread is not needed for the offering, it is purchased with remaining funds of the chamber (*Tosafot Yeshanim* on *Yoma* 67a).

Another opinion is that the strip of crimson mentioned here is the one that is tied at the entrance to the Sanctuary before the decree to split the thread and tie one half to the scapegoat's horns and one half to the stone (see *Yoma* 67a). Since it is tied in the Temple itself, it is purchased from the collection of the chamber. Accordingly, the strip of crimson mentioned later in the mishna is referring to the time after the decree, when the strip of crimson is no longer tied in the Temple and is therefore purchased with the remaining funds of the chamber (Rav Yehuda ben Rav Binyamin HaRofeh).

HALAKHA

**The red heifer, the scapegoat, and the strip of crimson wool come from the collection of the chamber – פָּרָה וְשִׁעִיר הַמִּשְׁתַּלַּח וְלִשׁוֹן שֵׁל זְהוּרִית בְּאֵין מִתְרוּמַת הַלְּשָׁכָה:** According to the Rambam, the red heifer, the scapegoat, and the strip of crimson wool that is tied to the horns of the scapegoat are all purchased from the collection of the Temple treasury chamber. The *Mishne LaMelekh* writes that the inclusion of the strip of wool tied to the scapegoat in this list is a scribal error, as the strip that is tied

between the horns of the scapegoat is purchased with the remains of the chamber, as explained subsequently in the mishna. The list should rather include the strip of crimson wool that is cast into the burning heifer along with the cedar wood and the hyssop that is purchased with funds from the collection of the chamber, in accordance with the version of the text in the Babylonian Talmud (*Ketubot* 106b; Rambam *Sefer Zemanim, Hilkhot Shekalim* 4:1).



The ramp of the red heifer... come from the remains of the chamber – כִּבְשׁ פָּרָה... בְּאֵין מְשִׁירֵי הַלְשָׁבָה: This is referring to the ramp or bridge that was built from the Temple Mount to the Mount of Olives on which the red heifer was led to its slaughter and burning. This bridge, along with the bridge upon which they led out the scapegoat, the altar, the Sanctuary, the courtyards, the aqueducts, the towers and walls of Jerusalem, and any other needs of the city, were funded from the remains of the chamber (Rambam *Sefer Zemanim, Hilkhot Shekalim* 4:8).

One may not generate profit by selling consecrated property – אֵין מְשַׁתְּכְּרִין בְּשֵׁל הַקֹּדֶשׁ – In his Commentary on the Mishna, the Rambam rules explicitly in accordance with the opinion of Rabbi Akiva. In the *Mishne Torah*, he does not cite the statement of Rabbi Yishmael with regard to the proper use for the remains of the treasury chamber, implying that the *halakha* is in accordance with Rabbi Akiva's opinion (Rambam *Sefer Zemanim, Hilkhot Shekalim* 4:4).

Neither may one profit from funds set aside for the poor – אֵף לֹא מִשְׁלַ עֲנִיִּים: One may not invest charity designated for distribution to the poor, lest poor people require assistance and there be no funds to provide them. This is in accordance with the Gemara here. However, it is permitted to have a fund whose principal is invested and whose profits are distributed to the poor (*Beit Yosef* in the name of *Sefer HaTerumot* and *Hagahot Maimoniyot; Shulhan Arukh, Yoreh De'a* 259:1, and in the comment of the Rema).

כִּבְשׁ פָּרָה, וְכִבְשׁ שְׂעִיר הַמִּשְׁתַּלַּח, וְלִשְׁוֹן שְׂבִין קֶרְנָיו, וְאַמַּת הַמַּיִם, וְחֻמוֹת הָעִיר וּמַגְדְּלוֹתֶיהָ, וְכָל צְרִכֵי הָעִיר – בְּאֵין מְשִׁירֵי הַלְשָׁבָה. אֲבָא שְׂאוּל אֹמֵר: כִּבְשׁ פָּרָה כֹּהֲנִים גְּדוּלִים עוֹשִׂין מִשְׁלַ עֲצָמוֹן.

The same is true for the ramp built from the Temple Mount to the location on the Mount of Olives, where they would slaughter the red heifer; the ramp built to lead the scapegoat out of the city; the strip of crimson wool that was tied between its horns; any repairs required for the aqueduct that ran through the Temple courtyard and the walls of the city and its towers; and for all the needs of the city, such as street repairs, security, and the like. All of these come from the remains of the chamber, i.e., from the money that remained in the chamber after the three collections of money were taken to use for communal offerings. Abba Shaul says: The High Priests construct the ramp for the red heifer from their own funds.

מוֹתֵר שְׂרִירֵי לְשָׁבָה מֵהָ הָיוּ עוֹשִׂין בְּהֵן? לֹקְחִין בְּהֵן יַיְנוֹת שְׂמָנִים וְסִלְתוֹת, וְהַשְׂכָּר לְהַקְדֵּשׁ, דְּבָרֵי רַבִּי יִשְׁמַעֵאל. רַבִּי עֲקִיבָא אֹמֵר: אֵין מְשַׁתְּכְּרִין בְּשֵׁל הַקֹּדֶשׁ אֵף לֹא מִשְׁלַ עֲנִיִּים.

What would they do with the leftover remains of the chamber after all the items mentioned above had been attended to? They would purchase wine, oil, and fine flour and sell them to those who needed them for their private offerings. And the profit from these sales would go to consecrated property, i.e., to the Temple treasury; this is the statement of Rabbi Yishmael. Rabbi Akiva says: One may not generate profit by selling consecrated property, neither may one profit from funds set aside for the poor.

NOTES

The ramp of the red heifer – כִּבְשׁ פָּרָה: This ramp was a bridge that extended from the Temple Mount to the Mount of Olives, where the red heifer was slaughtered. It was built in order to prevent those involved in the process of burning the red heifer from contracting ritual impurity from unknown sources along the way, such as by walking over an unmarked grave. The bridge served as an interposition between them and the source of impurity. In order to serve this function, the bridge was constructed in a special manner, with arches over arches, so that there was space between the ground and every part of the bridge (see *Para* 3:6). Since using the bridge was a stringency that the Sages imposed but was not absolutely necessary in order to prepare the ashes of the red heifer, construction of the bridge could not be paid for from the collection of the Temple treasury chamber (*Talmid HaRashbash*).

The ramp built to lead the scapegoat – כִּבְשׁ שְׂעִיר הַמִּשְׁתַּלַּח: It is explained in the Mishna (*Yoma* 6:4) that this bridge was constructed because the Babylonian Jews who were visiting Jerusalem would tear out the hair of the person leading the scapegoat and say: Take it and leave, take it and leave, and let our sins not linger upon us. In order to protect the person leading the goat from this harassment, a bridge was constructed so that he could walk on the bridge and thereby avoid the crowds. Since there was no halakhic need for this bridge, it was paid for with the remaining funds of the chamber.

The strip of crimson wool that was tied between its horns – לְשׁוֹן שְׂבִין קֶרְנָיו: Once the lottery determines which goat will be the scapegoat, they tie a strip of crimson wool to its horns (*Yoma* 41b). Before it is pushed off the cliff, the one who leads it there splits the strip into two parts and ties one part to the goat's horns and the other part to a stone (*Yoma* 67a). The

Gemara states that at times, the strip would miraculously turn white as a sign that the Jewish people had been granted atonement, in fulfillment of the verse: "Though your sins are like crimson, they will turn white as snow" (Isaiah 1:18). Since this strip is not needed for the scapegoat, and certainly not for the goat offered to God, it is not purchased with the collection of the chamber (*Korban HaEida; Tiklin Hadatin*).



Scapegoat with strip of crimson wool

The aqueduct – אֲמַת הַמַּיִם: Some commentaries explain that this is referring to the aqueduct that brought water from the spring of Eitam, which passed through the courtyard of the Temple. Its water was used to wash the floor of the courtyard (*Talmid HaRashbash*; see *Pesahim* 64a; *Yoma* 31a; and Jerusalem Talmud, *Yoma* 3:8). Since the aqueduct was not an essential part of sacrificial offerings, maintenance of it was paid for with the remaining funds of the chamber.

The walls of the city and its towers – חֻמוֹת הָעִיר וּמַגְדְּלוֹתֶיהָ:

The walls of Jerusalem were built from the remaining funds of the chamber, money that came from the entire Jewish people and not just from the residents of Jerusalem. This mishna is in accordance with the opinion that Jerusalem was not inherited by a particular tribe (see *Yoma* 12a; see *Megilla* 26a), so the entire Jewish people share a stake in it (*Mordekhai on Bava Batra*, 475).

All the needs of the city – כָּל צְרִכֵי הָעִיר: Maintenance of the entire city of Jerusalem was paid for with the remaining funds of the chamber because Jerusalem has sanctity. This sanctity is expressed through the fact that offerings of lesser sanctity and the second tithe may be eaten anywhere in Jerusalem.

One may not generate profit by selling consecrated property – אֵין מְשַׁתְּכְּרִין בְּשֵׁל הַקֹּדֶשׁ: The Gemara (*Ketubot* 106b) explains that the reason for this is: There is no poverty in a place of wealth. Since the Temple is the glory of the Jewish people and it is funded by the community, it would be disgraceful for its treasury to earn money through small-scale business ventures, as though it were strapped for cash (*Talmid HaRashbash*; Rav Yehuda ben Rav Binyamin HaRofeh; *Korban HaEida*). Others commentaries add that there is a concern that if the Temple becomes involved in business, it could suffer financial loss (Rambam's Commentary on the Mishna; *Arakhin* 6:5; Rash Sirilio).

Neither may one profit from funds set aside for the poor – אֵף לֹא מִשְׁלַ עֲנִיִּים: The Gemara (*Ketubot* 106b) explains that this is due to the concern that a poor person will desperately need money, and the charity fund will not be able to help him because its funds have been invested (*Talmid Rashbash*; Rav Yehuda ben Rav Binyamin HaRofeh; Mahara Fulda). Others explain that the concern is that investment could lead to a financial loss (Rash Sirilio).

LANGUAGE

Deputy [segan] – קָנָן: This word, which appears in the Bible as well, is apparently borrowed from Assyrian. It primarily refers to a ruler, an appointed official, or an officer. That is how the word is used in the Bible as well. The deputy High Priest, therefore, was the one appointed over the other priests in the Temple. This role was given to the priest who was second in command (see Jeremiah 52:24), who also served as a substitute for the High Priest.

PERSONALITIES

Rabbi Hananya the deputy High Priest – רַבִּי חַנְנִיָּה קָנָן – הַכֹּהֲנִים: Rabbi Hananya, or Hanina, the deputy High Priest, was one of the Sages who lived at the time of the destruction of the Second Temple. According to tradition, he was one of the ten martyrs murdered during the period of religious persecution after the destruction.

As his title indicates, Rabbi Hananya held a prominent position in the Temple and had a significant degree of authority in its administration. His primary role, however, was to substitute for the High Priest when he could not serve due to impurity or illness.

It seems that his family was an important one, as connections between it and the house of the Nasi are mentioned in various sources. Most of his recorded halakhic statements relate to the subject of the Temple and its halakhot, such as the halakhot of sacrificial offerings and ritual purity.

Rabbi Hananya had a son who was one of the tanna'im. He was known as Rabbi Shimon, son of the deputy.

מותר התרומה מה היו עושים בה? רקועי זהב ציפוי לבית קודש הקדשים. רבי ישמעאל אומר: מותר הפירות – קניץ המזבח, מותר תרומה – לכלי שרת.

רבי עקיבא אומר: מותר תרומה – לקניץ המזבח, מותר נסכים לכלי שרת. רבי חנניה סגן הכהנים אומר: מותר נסכים – קניץ המזבח, מותר התרומה – לכלי שרת. זה וזה לא היו מודים בפירות.

גמ' כבש פרה כו'. רבי ישמעאל בר נחמן בשם רבי יונתן: שלש לשונות הן: של שעיר – בסלע, של מצורע – בשקל, של פרה – בשתי סלעים.

What would they do with the leftover funds of the collection that had not been spent on communal offerings? They would purchase golden plates as a coating for the walls and floor of the Holy of Holies. Rabbi Yishmael says: The leftover produce<sup>N</sup> was used to purchase the repletion of the altar, i.e., burnt-offerings sacrificed at times when the altar was idle. The leftover funds of the collection were used to purchase sacred vessels.

Rabbi Akiva says: The leftover funds of the collection were used to purchase the animals used for the repletion of the altar,<sup>N</sup> since they had originally been collected for offerings. The leftover libations<sup>H</sup> were used to purchase sacred vessels. Rabbi Hananya, the deputy [segan]<sup>L</sup> High Priest,<sup>P</sup> says: The leftover libations were used to purchase animals for the repletion of the altar,<sup>N</sup> while the leftover funds of the collection<sup>H</sup> were used to purchase sacred vessels. Both this Sage, Rabbi Akiva, and that Sage, Rabbi Hananya, did not agree with Rabbi Yishmael's opinion with regard to the leftover produce.<sup>N</sup>

**GEMARA** Since the mishna mentions both the ramp used to transport the red heifer and the strip of crimson wool, the Gemara relates that Rabbi Yishmael, son of Nahman, said in the name of Rabbi Yonatan: There are three strips of crimson, each of which is a different weight. That of the scapegoat<sup>H</sup> is the weight of a sela, as it had to be divided into two, one to tie between the scapegoat's horns and one to tie on a rock. It is sufficient for the strip of crimson wool used in the purification of a leper<sup>H</sup> to weigh a shekel, half of a sela, as it is not divided in half. The strip of crimson wool that was used in the process of burning the red heifer<sup>H</sup> is of two sela. In order to sink into the mass of burning material, it had to be the heaviest of strips.

NOTES

The leftover produce – מותר הפירות: The Gemara (11a) cites two explanations of this term. One opinion is that it refers to the profit gained from the sale of wines, oils, and fine flour that was purchased with the leftover remains of the chamber. Consequently, this is a continuation of Rabbi Yishmael's previously stated opinion that the leftover remains of the chamber were used to purchase wine and flour. The second opinion is that this refers to the profits resulting from the purchase of four se'a of grain for the price of three. Later in this chapter, it is noted that providers of grain to the Temple provided four se'a of grain for the price of three.

The repletion of the altar – קניץ המזבח: When there are no other offerings on the altar, burnt-offerings are sacrificed so that the altar will not be empty. This is known as the repletion of the altar. These offerings are purchased with funds that are donated for this purpose and placed in a special container. The meat of the burnt-offerings is burned on the altar, and their hides are given to priests.

The leftover libations for the repletion of the altar – מותר נסכים קניץ המזבח: Since libations, when sacrificed, were completely consumed on the altar and no one could derive benefit from them, the funds remaining from the allocations to libations were used for an offering that was also completely consumed on the altar and from which no one could derive benefit, i.e., a burnt-offering (Tiklin Hadatin).

Both this Sage and that Sage did not agree with Rabbi Yishmael's opinion with regard to the leftover produce – זה וזה לא היו מודים בפירות: According to the opinion in the Gemara (11a) that the leftover produce is the proceeds from the sale of oil and flour purchased from the remains of the chamber, the mishna's intent here is to say: Since Rabbi Akiva and Rabbi Hananya, the deputy High Priest, disagree with Rabbi Yishmael and hold that one may not do business with consecrated property, they also disagree with regard to the leftover produce. This is because, in their opinion, there would never be leftover produce, as it is prohibited to sell the oil and flour.

HALAKHA

The leftover libations – מותר נסכים: The leftover libations are used to purchase sacred vessels for the Temple. If additional funds are needed, the sacred vessels can be purchased with the collection of the chamber. The Rambam rules in accordance with the opinion of Rabbi Akiva. However, the Rambam maintains that in the case of insufficient funds, Rabbi Akiva concedes to Rabbi Yishmael's opinion (Kesef Mishne; Rambam Sefer Zemanim, Hilkhot Shekalim 4:2).

The leftover funds of the collection – מותר התרומה: The leftover funds of the collection of the chamber and the remains of the chamber are used to purchase male lambs to be sacrificed as burnt-offerings. These offerings are called the repletion of the altar. This is in accordance with the opinion of Rabbi Akiva, as the halakha is in accordance with his opinion

when he disputes a colleague (Rambam Sefer Zemanim, Hilkhot Shekalim 4:9).

Of the scapegoat – של שעיר: The strip of scarlet wool that is tied to the head of the scapegoat weighs two shekels, in accordance with the opinion of Ravin in the Babylonian Talmud (Yoma 42a; Rambam Sefer Avoda, Hilkhot Avodat Yom HaKippurim 3:4).

Of a leper – של מצורע: The strip of scarlet wool of the leper weighs one shekel, in accordance with the opinion of Rabbi Yonatan (Rambam Sefer Tahara, Hilkhot Tumat Tzara'at 11:1).

Of the red heifer – של פרה: The strip of crimson wool for the red heifer weighs five sela, which is twenty zuz (Kesef Mishne), as explained in the Babylonian Talmud (Yoma 42a; Rambam Sefer Tahara, Hilkhot Para Aduma 3:2).

The Torah scholars who teach... collect their wages, etc. – תלמידי חכמים המלמדו... נוטלין שכרן וכו' *Tosafot (Ketubot 105a)* point out that a distinction must be drawn between different types of payments to Torah scholars. It is prohibited to accept payment for Torah study or for adjudicating a court case. However, it is permitted to reimburse a Torah scholar for the time he takes from other business activities in order to engage in these activities. There are also scholars who serve the community by spending all of their time teaching Torah or serving as judges on a rabbinical court. These people may receive a stipend from the community to support them and their families. Rabbeinu Crescas writes that this is the basis for paying community rabbis and yeshiva heads (see Rambam *Sefer HaMadda, Hilkhos Talmud Torah* 3:10 and *Kesef Mishne* there).

Inspectors of blemishes of consecrated animals – מבקרי מומי קדשים *Tosafot (Ketubot 105a)* explain that these are the inspectors of potential offerings for blemishes. It does not include those who inspect firstborn animals for blemishes, as they may not receive wages due to the fact that blemished firstborn animals become the property of a priest. However, the *Me'iri* writes that this category does include even the inspectors of blemishes of firstborn animals. According to the Mishna, these inspectors may not receive their wages from the owners directly, due to a concern lest they try to win favor in the eyes of the owners by finding a blemish and disqualifying the animal from being offered on the altar (see Rabbi Ovadya Bartenura on *Bekhorot* 4:5).

The Torah scroll that was kept in the Temple courtyard – ספר העזרה: This is a reference to the Torah scroll that remained in the Temple, from which the High Priest would read every Yom Kippur in the women's courtyard (*Nimmukei Yosef on Mo'ed Katan* 11a; Rabbi Ovadya Bartenura on *Mo'ed Katan* 3:4 and *Keilim* 15:6). Since this Torah was both read in front of the entire Jewish people and used to check the Torah scroll from which the king read, it had to be exceptionally precise (*Me'iri on Mo'ed Katan* 18b).

Rav Huna – רב הונא: Although the Vilna text has Rav Huna, it is clear from context that this is meant to be Rav Huna.

רבי חונה דברת חורין רבי בא בר זבדא בשם רבי שמעון בן חלפתא: של פרה בשתי סלעים ומחצה ואית דמפקין לישנא: בעשרה זוז.

Rabbi Hunya from the city of Berat Havrin said that Rabbi Ba, son of Zavda, said in the name of Rabbi Shimon ben Halaftha: The crimson strip of the red heifer is of two and a half sela. Some expressed his statement using the language: Of ten zuz. This is the equivalent of two and a half sela; however, it is important to quote one's teacher using the identical language that his teacher used.

רבי יהודא בשם רבי שמואל: תלמידי חכמים המלמדו את הכלבים הלכות זריקה – שחיטה, הלכות קבלה, הלכות זריקה – נוטלין שכרן מתרומת הלישבה. רבי יצחק בר רדיפה בשם רבי אימי: מבקרי מומי קדשים – נוטלין שכרן מתרומת הלישבה. רבי אחא רבי תנחום בר חיאי בשם רבי שמלאי: מגיהי ספר העזרה נוטלין שכרן מתרומת הלישבה.

The Gemara cites additional opinions with regard to the items that are purchased with the remains of the chamber. Rabbi Yehuda said in the name of Rabbi Shmuel: The Torah scholars who teach the priests the halakhot of slaughtering, the halakhot of collecting the blood of an offering in a sacred vessel, and the halakhot of sprinkling the blood on the altar collect their wages<sup>N</sup> from the collection of the chamber. Rabbi Yitzhak bar Redifa said in the name of Rabbi Imi: Inspectors of blemishes of consecrated animals<sup>NH</sup> collect their wages from the collection of the chamber. Rabbi Aha said that Rabbi Tanhum bar Hiyya said in the name of Rabbi Simlai: The proofreaders of the Torah scroll that was kept in the Temple courtyard<sup>NH</sup> collect their wages from the collection of the chamber.

גידל בר בנימין בשם רבי אסי: שני דיני גזילות נוטלין שכרן מתרומת הלישבה. שמואל אמר: נשים האורגות בפרוכת נוטלין שכרן מתרומת הלישבה. רב חונה אמר: מתרומת בדיק הבית. מה פליגי? שמואל עבד ליה בקרבן, רב הונא עבד לה בבנין.

Giddel, son of Binyamin, said in the name of Rabbi Asi: The two chief judges in Jerusalem, who establish fines and adjudicate cases of thefts, collect their wages from the collection of the chamber. Shmuel says: The women who weave the curtain<sup>H</sup> that separates the Temple Sanctuary from the Holy of Holies collect their wages from the collection of the chamber. Rav Huna said: They collect their wages from the collection for Temple maintenance. With regard to what do they argue? Shmuel considers it like an offering, as the blood of certain offerings is sprinkled on the curtain. Rav Huna<sup>N</sup> considers it like part of the building, and funds for the building itself come from the collection for Temple maintenance.

אמר רבי חזקיה תנא רבי יהודה גזגדות: הקטרת וכל קרבנות הצבור – באין מתרומת הלישבה, מזבח הזהב וכל כלי שרת – באין ממותר נסכים, מזבח העולה וההיכל והעזרות – באין משורי הלישבה, חוץ לעזרות – באין מלשבת בדיק הבית.

Rabbi Hizkiya said that Rabbi Yehuda Gudgadot taught: The funds for the incense and all communal offerings<sup>H</sup> come from the collection of the Temple treasury chamber. The funds for the golden altar, located inside the Sanctuary and on which the incense was offered, and all sacred vessels<sup>H</sup> come from the left-over money of that set aside for the libations. The funds for the altar of burnt-offering,<sup>H</sup> which was located outside the Sanctuary and on which most offerings were burned; and for the Sanctuary itself; and the various courtyards come from the remains of the chamber. Funds for whatever was outside the courtyards<sup>H</sup> come from the money stored in the chamber for Temple maintenance.

## HALAKHA

Torah scholars... inspectors of blemishes of consecrated animals, etc. – תלמידי חכמים... מבקרי מומי קדשים וכו' – The inspectors of blemishes of consecrated animals in Jerusalem, Torah scholars who teach the priests the halakhot of slaughtering and taking handfuls of meal offerings, and women who raise their children to participate in the ritual of the red heifer all receive their wages from the collection of the Temple treasury chamber (Rambam *Sefer Zemanim, Hilkhos Shekalim* 4:2).

The proofreaders of the Torah scroll that was kept in the Temple courtyard – מגיהי ספר העזרה: The proofreaders of the Torah scrolls in Jerusalem received their wages from the collection of the chamber (Rambam *Sefer Zemanim, Hilkhos Shekalim* 4:7).

The women who weave the curtain – נשים האורגות בפרוכת: The women who weave the curtain of the Sanctuary receive

their wages from the Temple maintenance fund, in accordance with the opinion of Rav Huna. However, the curtains for the gates and the wages of the women who weave them are funded from the collection of the chamber (Rambam *Sefer Zemanim, Hilkhos Shekalim* 4:2).

The incense and all communal offerings – הקטרת וכל קרבנות הצבור: The daily offerings, the additional offerings, all communal offerings, their libations, the incense, and the wages of those who prepared the incense are all funded from the collection of the Temple treasury chamber, in accordance with the mishna (Rambam *Sefer Zemanim, Hilkhos Shekalim* 4:1).

Sacred vessels – כלי שרת: The sacred vessels in the Temple are purchased with the leftover libations, in accordance with the opinion of Rabbi Yehuda Gudgadot (Rambam *Sefer Zemanim, Hilkhos Shekalim* 4:2).

The altar of burnt-offering, etc. – מזבח העולה וכו': The altar, the Sanctuary, and the Temple courtyards are funded from the remains of the chamber, in accordance with the opinion of Rabbi Yehuda Gudgadot. The Rambam rules in accordance with the version of the text presented here. The *Kesef Mishne* wonders why the Rambam rules in accordance with the Jerusalem Talmud over the version found in the Babylonian Talmud (*Ketubot* 106b; Rambam *Sefer Zemanim, Hilkhos Shekalim* 4:8).

Outside the courtyards – חוץ לעזרות: Anything located outside the wall of the Temple courtyard, such as the walls of Jerusalem, its towers, and other city institutions, are funded from the remains of the chamber (Rambam *Sefer Zemanim, Hilkhos Shekalim* 4:8).



NOTES

The stones of the altar, the Sanctuary, or the courtyards – אבני המזבח ההיכל והעזרות: The early commentaries explain that this is referring to stones that have become detached from these structures. When the stones are still in place, there is no prohibition against deriving benefit from them. One explanation as to why there is no prohibition against deriving benefit from the stones while they are attached invokes the principle that the Torah was not given to angels. In other words, it is unreasonable to instruct people not ever to lean on a wall or benefit from its shade (Rash Sirilio). Another explanation is that the prohibition of misuse of consecrated items does not apply to items that are attached to the ground (Talmid HaRashbash).

Other than within its year – אלא בתוך שנתו: The stones may not be purchased with the funds collected that year, as Rabbi Meir holds that those funds are reserved solely for purchasing communal offerings. Ideally, communal offerings are purchased with the funds from the collection of the Temple treasury chamber and not from the shekels that remain after that collection. The shekels that remain are covered for this very reason, as described in the mishna (9a). Nonetheless, if all the shekels from the collection of the chamber have been expended, the shekels that remain in the chamber after the collection may be used to purchase the communal offerings. Therefore, these funds are not used for anything else. However, the remaining shekels from the previous year may no longer be used to purchase offerings, and therefore they may be used to purchase other items necessary for the Temple, such as stones for the altar and the Sanctuary (Rash Sirilio).

HALAKHA

The table and the candelabrum and the altars – השלחן והמנורה והמזבחות: The golden candelabrum and all other sacred vessels in the Temple are funded from the leftover libations, in accordance with the opinion of Rabbi Yehuda Gudgadot (Rambam *Sefer Zemanim, Hilkhot Shekalim* 4:2).

והא תני אבני המזבח ההיכל והעזרות מועלין בהן וכי יש מעילה בשירייהם? אלא כרבי מאיר דרבי מאיר אומר: מועלין בשירייהם.

אמר רבי חייה: כלום אמר רבי מאיר אלא בתוך שנתו, והכא חוץ לשנתו אכן קיימין.

אמר רבי חזקיה: תנא רבי יהודה גְּדַגְנִיּוֹת, הַשְּׁלָחַן, וְהַמְּנוֹרָה, וְהַמְּזֻבְחוֹת, וְהַפְּרוֹכֶת – מְעַבְבִים אֶת הַקְּרָבָנוֹת, דְּבַרֵי רַבִּי מֵאִיר. וְחַכְמִים אוֹמְרִים: אֵין לָךְ מְעַבֵּב אֶת הַקְּרָבָן אֶלָּא הַכִּיּוֹר וְהֵן בְּלִבָּד.

ולא כן אמר רבי אליעזר ורבי יוסי בן חנינה, תריהון אמרין: כל הן דכתביב "נכח" – מעבב, "צלע" – אינו מעבב.

ואמר רבי שמואל בר נחמן בשם רבי יונתן: ואפילו "צלע" מעבב. ואמר רבי אילא בשם

The Gemara asks: Wasn't it taught in a *baraita* that one who derives benefit from the stones of the altar, the Sanctuary, or the courtyards<sup>N</sup> thereby misuses consecrated property? Therefore, if one does so unwittingly, he is liable to repay to the Temple treasury the value of the loss he caused or benefit he gained, in addition to a fine of one-fifth of that amount, and he must bring a guilt-offering. And is there misuse of consecrated property with regard to items purchased with the remains of the chamber? The Gemara answers: Rather, the *baraita* is in accordance with the opinion of Rabbi Meir, as Rabbi Meir says: One misuses consecrated property even if he derives benefit from items purchased with the remains of the chamber.

Rabbi Ḥiyya said in response to this suggestion: Did Rabbi Meir say this statement other than within its year?<sup>N</sup> Even Rabbi Meir agrees that one violates the prohibition against misusing consecrated property by deriving benefit from the remains of the chamber only within the year for which those coins were donated. Since the funds could still be used for communal offerings if needed during that year, the prohibition applies. But here, we are dealing with funds that are outside the year of their collection, as the remains of the chamber were not used to purchase stones until after the year was over. Therefore, the *baraita* is not in accordance with Rabbi Meir, and the challenge to Rabbi Yehuda Gudgadot remains.

Having cited Rabbi Yehuda Gudgadot, referred to now as Rabbi Yehuda Gudganiyot, the Gemara cites another of his rulings. Rabbi Hizkiya said that Rabbi Yehuda Gudganiyot taught: If the table and the candelabrum and the altars<sup>H</sup> and the curtain are incomplete or are not in their proper location, they prevent offerings from being brought; this is the statement of Rabbi Meir. The Rabbis say: The only items that prevent the offering from being brought are the water basin and the base alone, as the Temple rite may not be performed if the basin and its base are not in place.

However, didn't Rabbi Eliezer and Rabbi Yosei ben Ḥanina both say: Wherever it is written: Opposite, in describing the proper location for one of the sacred vessels, its absence prevents offerings from being brought. For example, with regard to the candelabrum, the verse states: "And the candelabrum opposite the table" (Exodus 26:35). Wherever the verse states: Side, the absence of the vessel does not prevent offerings from being brought. For example, with regard to the table, the verse states: "And you shall place the table on the south side" (Exodus 26:35).

And Rabbi Shmuel bar Naḥman said in the name of Rabbi Yonatan: Even absence of a vessel whose location is described with the side, prevents offerings from being brought. And Rabbi Ila said in the name of

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רבי שמואל בר נחמן: ואפילו "שימה" מעבב.

Rabbi Shmuel bar Naḥman: And even correct placement,<sup>N</sup> is necessary for offerings to be valid. According to this view, if the candelabrum, either of the two altars, the table, the curtain, or the basin is invalid or not in its proper location, sacrificial offerings are not accepted. All of the *amora'im* cited here apparently disagree with the opinion of the Rabbis cited in the *baraita*, who maintain that the only vessels that invalidate offerings are the basin and its base.

NOTES

And even correct placement – ואפילו שימה: This term is used with regard to several vessels that are located inside the Sanctuary. With regard to the curtain, the verse states: "And he brought the Ark into the Tabernacle, and placed the veil of the screen" (Exodus 40:21). With regard to the candelabrum, it states: "He placed

the candelabrum" (Exodus 40:24). With regard to the golden altar it states: "He placed the golden altar" (Exodus 40:26). With regard to the altar of burnt-offerings, it states: "And he placed the altar of burnt-offering" (Exodus 40:29). With regard to the table it states: "You shall place the table" (Exodus 26:35).