

The Soncino Babylonian Talmud

Book III

Folios 59a-86a



MENOCHOS

TRANSLATED INTO ENGLISH WITH NOTES

Reformatted by Reuven Brauner, Raanana 5771
www.613etc.com

MENACHOS III – 59a-86a

Menachoth 59a

MISHNAH. SOME [MEAL-OFFERINGS] REQUIRE OIL AND FRANKINCENSE, SOME REQUIRE OIL BUT NOT FRANKINCENSE, SOME FRANKINCENSE BUT NOT OIL, AND SOME NEITHER OIL NOR FRANKINCENSE. THESE REQUIRE OIL AND FRANKINCENSE: THE MEAL-OFFERING OF FINE FLOUR,¹ THAT PREPARED ON A GRIDDLE, THAT PREPARED IN A PAN, THE CAKES AND THE WAFERS,² THE MEAL-OFFERING OF THE PRIESTS, THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST,³ THE MEAL-OFFERING OF A GENTILE,⁴ THE MEAL-OFFERING OF WOMEN,⁵ AND THE MEAL-OFFERING OF THE ‘OMER.⁶ THE MEAL-OFFERING OFFERED WITH THE DRINK-OFFERINGS⁷ REQUIRES OIL BUT NOT FRANKINCENSE. THE SHEWBREAD REQUIRES FRANKINCENSE BUT NOT OIL. THE TWO LOAVES,⁸ THE SINNER'S MEAL-OFFERING⁹ AND THE MEAL-OFFERING OF JEALOUSY¹⁰ REQUIRE NEITHER OIL NOR FRANKINCENSE.

GEMARA. R. Papa said, All [the meal-offerings] enumerated in the Mishnah must consist of ten [cakes].¹¹ He thus rejects R. Simeon's view who said, He may offer half in cakes and half in wafers;¹² and so he teaches us [that it is not so].

Our Rabbis taught: It is written, And thou shalt put oil upon it,¹³ — upon it but not upon the Showbread. For [without the verse] I would have argued by an a fortiori argument thus: if the meal-offering that is offered with the drink-offerings, which does not require frankincense, nevertheless requires oil, how much more does the Showbread, which requires frankincense, require oil! The text therefore stated ‘Upon it’, — upon it shall be oil but not upon the Showbread. [It is further written], And thou shalt lay frankincense upon it,¹⁴ — upon it shall be frankincense but not upon the meal-offering offered with the drink-offerings. For

[without the verse] I would have argued by an a fortiori argument thus: if the Showbread, which does not require oil, nevertheless requires frankincense, how much more does the meal-offering offered with the drink-offerings, which requires oil, require frankincense! The text therefore stated, ‘Upon it’ — upon it shall be frankincense but not upon the meal-offering offered with the drink-offerings. Meal-offering¹⁴ — this includes the meal-offering offered on the eighth day¹⁵ [of consecration], so that it too required frankincense. It is¹⁴ — this excludes the Two Loaves, so that they require neither oil nor frankincense.

The Master said, ‘Upon it shall be oil but not upon the Showbread’. Might I not say, Upon it shall be oil but not upon the meal-offering of the priests? — It is more reasonable to include the meal-offering of the priests, since [like the meal-offering of the ‘Omer it consists of] a tenth [of an ephah],¹⁶ [requires] a vessel of ministry,¹⁷ is prepared outside,¹⁸ [becomes unfit when] its appearance [is spoilt],¹⁹ requires bringing near [to the altar],²⁰ and [is burnt upon] the fire [of the altar].²¹ On the contrary it is more reasonable to include the Showbread since [like the meal-offering of the ‘Omer it is an offering on behalf of] the community,²² is obligatory,²² [may be offered in] uncleanness,²³ is eaten,²⁴ [is subject to] piggul,²⁵ [and is offered] on the Sabbath!²⁶ — The former is the more plausible since there is written, Any one.²⁷

The Master said, ‘Upon it shall be frankincense but not upon the meal-offering offered with the drink-offerings’. Might I not say, Upon it shall be frankincense but not upon the meal-offering of the priests? — It is more reasonable to include the meal-offering of the priests, since [like the meal-offering of the ‘Omer it consists of] a tenth, is mixed [with a log of oil],²⁸ is brought [near the altar], [and is offered] by itself.²⁹ On the contrary it is more reasonable to include the

MENOSCHOS III – 59a-86a

meal-offering offered with the drink-offerings, since [like the meal-offering of the ‘Omer it is an offering on behalf of] the community,³⁰ is obligatory, [and may be offered in] uncleanness [and] on the Sabbath? — The former is the more plausible since there is written, Any one.³¹ ‘Meal-offering-this includes the meal-offering offered on the eighth day [of consecration], so that it too required frankincense’. Perhaps it excludes it? — It is out of the question; if you say that it includes it, it is well,³² but if you say that it excludes it, the expression is then superfluous, for surely we would not infer a temporary enactment from a permanent law! ‘It is — this excludes the Two Loaves, so that they require neither oil nor frankincense’. Might I not say that it excludes the meal-offering of priests? — It is more reasonable to include the meal-offering of priests, since [like the meal-offering of the ‘Omer it consists of] a tenth, [requires] a vessel [of ministry], is unleavened, [is offered] by itself, must be brought near [to the altar], [and is burnt upon] the fire [of the altar].³³ On the contrary,

(1) Cf. Lev. II, 1. A promise of a meal-offering without further specification, entails the bringing of a tenth of an ephah of fine flour, together with oil and frankincense; they were mixed together and then the priest took out a handful from it and burnt it on the altar. This is the only individual meal-offering for which the Torah expressly prescribes oil and frankincense. The others enumerated in the Mishnah are derived by analogy from this meal-offering.

(2) Of the meal-offering baked in an oven, Lev. II, 4. It may consist either of ten unleavened cakes or ten unleavened wafers; v. Gemara.

(3) The daily meal-offering of the High Priest known as חֶבֶטֶת כֹּהֵן גָּדוֹל cf. Lev. VI, 13ff.

(4) All freewill-offerings may be accepted from gentiles, v. Shek. I, 5.

(5) I.e., when a woman offers a meal-offering of her free will.

(6) V. Lev. II, 14, and XXIII, 9-14.

(7) V. Num. XV, 4ff.

(8) Of Pentecost. V. Lev. XXIII, 17.

(9) Brought by a person of poor means as a sin-offering on the commission of any one of the transgressions mentioned in Lev. V, 1-4.

(10) Brought by a woman suspected by her husband of adultery; v. Num. V, 15.

(11) The first four meal-offerings mentioned in our Mishnah must each be baked into ten cakes, so that even the fourth kind of meal-offering, namely that baked in an oven, for which an alternative is allowed, must consist nevertheless either of ten cakes or of ten wafers, but not of five cakes and five wafers, contra R. Simeon. Another interpretation is: The meal-offerings enumerated in our Mishnah (as requiring both oil and frankincense) are ten in number, reckoning ‘THE CAKES AND THE WAFERS’ as two. According to R. Simeon, however, it must be reckoned as three, since the meal-offering baked in an oven may consist of either ten cakes or ten wafers or five cakes and five wafers.

(12) V. infra 63a and b.

(13) Lev. II, 15, with reference to the meal-offering of the ‘Omer.

(14) Ibid.

(15) Cf. Lev. IX, 4.

(16) Whereas each cake of the Showbread was of two tenths of flour.

(17) Wherein to knead the meal-offering, at which time it was hallowed. The Showbread, on the other hand, was not hallowed until it was baked in the oven of the Sanctuary.

(18) The offering is performed upon the altar in the Temple court, whereas the offering of the Showbread, i.e., the setting of the loaves on the table, was performed in the Temple proper, in the הֵיכָל.

(19) An expression signifying that it must not be kept overnight, as it belonged to the Most Holy class of offerings. The Showbread, however, was kept for seven days upon the table, from Sabbath to Sabbath.

(20) Which is not the case with the Showbread.

(21) The priest's meal-offering was wholly burnt upon the altar, and from the ‘Omer-offering a handful was burnt; but no part of the Showbread was burnt upon the altar.

(22) Which is not the case with the meal-offering of the priests.

(23) Every offering brought by the community as an obligation overrides the laws of uncleanness, cf. Pes. 76b. This is not so with the offering of an individual.

(24) The Showbread and the remainder of the ‘Omer-offering were shared amongst the priests and eaten, whereas the priests’ meal-offering was wholly burnt.

(25) V. Glos. It is established law that every offering which is rendered permissible, either for the altar or for man, by a certain rite (the Mattir, v. Glos.), is subject to the law of Piggul. V. Zeb.

MENACHOS III – 59a-86a

43a. The priests' meal-offering, however, since it is wholly burnt is outside the scope of this rule.

(26) The 'Omer-offering was brought even on the Sabbath (v. infra 63a), and the Showbread was regularly offered, i.e., set, on the Sabbath; but no individual offering was brought on the Sabbath.

(27) Lev. II, 1. Lit., 'a soul', i.e., an individual. Since here in connection with the meal-offering of fine flour, where oil (as well as frankincense) is expressly prescribed, Scripture uses the term 'any one', it is inferred that every individual meal-offering requires oil (and also frankincense, v. infra). Hence the priests' meal-offering is included.

(28) Whereas the meal-offering offered with the drink-offerings varied in quantity: one tenth for a lamb, two for a ram, and three for a bullock; and the quantities of oil also varied, the tenth of the lamb requiring to be mixed with three logs of oil, and each tenth of the ram and the bullock with two logs of oil. V. Num. XV, 4ff.

(29) The meal-offering offered with the drink-offerings did not require bringing near the altar; moreover it was not offered by itself but always accompanied an animal-offering.

(30) For it was offered as an obligation with the communal Daily Offerings, accordingly it overrode the rules of uncleanness and the laws of Sabbath.

(31) V. p. 349, n. 7.

(32) For otherwise, without the Scriptural direction, I should have thought that that meal-offering of consecration was without frankincense, as one could not apply the general law of the meal-offering to a particular temporary enactment.

(33) The Two Loaves, on the other hand, consisted of two tenths, had to be leavened, and were only hallowed when baked in the oven of the Sanctuary. They were not an offering by themselves but were brought together with the two lambs of Pentecost, and were subsequently eaten by the priests.

Menachoth 59b

it is more reasonable to include the Two Loaves since [like the meal-offering of the 'Omer] they are offered on [behalf of] the community, are obligatory, [may be offered] in uncleanness, are eaten, [are subject to] Piggul, [may be offered] on the Sabbath, render aught permissible,¹ [require] waving, [must be from the produce of] the land [of Israel],² [are offered on a fixed] date,³ [and must be offered from the] new [produce];

and here we have more points in common!⁴ — The former is the more plausible since there is written, Any one.⁵

MISHNAH. [A MAN IS] LIABLE BECAUSE OF THE OIL BY ITSELF AND BECAUSE OF THE FRANKINCENSE BY ITSELF.⁶ IF HE PUT IN OIL, HE HAS RENDERED IT INVALID, BUT IF FRANKINCENSE, HE MUST PICK IT OFF AGAIN. IF HE PUT OIL ON THE REMAINDER, HE HAS NOT THEREBY TRANSGRESSED A NEGATIVE PRECEPT. IF HE PUT ONE VESSEL ABOVE THE OTHER VESSEL,⁷ HE HAS NOT THEREBY RENDERED IT INVALID.

GEMARA. Our Rabbis taught: He shall put no oil upon it,⁸ but if he put oil thereon he has made it invalid. I might also say, Neither shall he put any frankincense thereon,⁸ but if he did, he has made it invalid, the text therefore states for a sin-offering.⁹ I might then say that this is so with the oil too, the text therefore states it is.⁸ But why do you declare it invalid if oil was put thereon and valid if frankincense was put thereon? I declare it invalid if oil was put thereon, since it cannot be picked off again, but I declare it valid if frankincense was put thereon, since it can be picked off again.

Raba son of R. Huna enquired of R. Johanan, How is it if he put upon it fine frankincense? Is it [valid if frankincense was put thereon] because it can be picked off again, but in this case it cannot be picked off again; or is it because it does not become absorbed,¹⁰ and this too does not become absorbed?

Come and hear: AND IF FRANKINCENSE, HE MUST PICK IT OFF AGAIN,¹¹ — Perhaps there are two reasons for it: firstly, that it does not become absorbed, and another reason is that it can be picked off again.¹²

Come and hear: 'I declare it valid if frankincense was put thereon, since it can be

MENOCHOS III – 59a-86a

picked off'! — Here again we can reply that there are two reasons for it. How is it then? — R. Nahman b. Isaac answered, It was taught: If a man put frankincense upon the sinner's meal-offering or upon the meal-offering of jealousy, he must pick it off again and the meal-offering is valid. If before he had picked off the frankincense he expressed an intention [concerning an act to be performed] outside its proper time¹³ or place, it is invalid but the penalty of kareth¹⁴ is not incurred.¹⁵ But if after he had picked off the frankincense¹⁶ he expressed an intention [concerning an act to be performed] outside its proper place, it is invalid and the penalty of kareth is not incurred, but if outside its proper time, it is piggul¹⁴ and the penalty of kareth is incurred. Surely it should be regarded as rejected!¹⁷ —

Abaye answered, Scripture still refers to it as a sin-offering.¹⁸ Raba said, This represents the view of Hanan the Egyptian who does not consider anything as absolutely rejected. For it was taught: Hanan the Egyptian says, Even though the blood is still in the bowl he may, without casting lots, bring another goat and pair it with the other.¹⁹

R. Ashi said, Whatsoever still remains in his power [to rectify] is never regarded as rejected.²⁰ R. Adda said that R. Ashi's view is the more probable; for who is it that regards a matter as absolutely rejected? It is R. Judah, as we have learnt: Moreover, said R. Judah, if the blood²¹ was poured out, the Scapegoat must be left to die;²² and if the Scapegoat died, the blood must be poured out.²³ Nevertheless, in regard to a matter which is still in his power [to rectify], it has been taught: R. Judah says, A cup was filled with the mingled blood [that was spilt on the ground]²⁴ and it was sprinkled in one action towards the base [of the altar].²⁵

R. Isaac b. Joseph said in the name of R. Johanan, If a man put the minutest quantity of oil upon an olive's bulk of the [sinner's]

meal-offering, he has thereby rendered it invalid. What is the reason? For 'he shall not put'²⁶ implies the putting of any quantity, however little; whilst 'upon it'²⁶ implies at least the minimum quantity.²⁷

R. Isaac b. Joseph also said in the name of R. Johanan, If a man put an olive's bulk of frankincense upon the minutest quantity of the [sinner's] meal-offering, he has thereby rendered it invalid. What is the reason? Because it is written, He shall not give [any frankincense],²⁸ which signifies that there must be a quantity thereof worthy to be given. And as for the term 'upon it',

- (1) The 'Omer rendered the new produce permissible to be eaten in the land of Israel, while the Two Loaves rendered it permissible to be used henceforth in the Temple.
- (2) Whereas all other meal-offerings could be brought from produce grown outside Palestine.
- (3) The 'Omer on the sixteenth day of Nisan and the Two Loaves at Pentecost.
- (4) As all these features are absent in the meal-offering of the priests the points in common between the 'Omer-offering and the Two Loaves certainly outnumber those enumerated above as common between the 'Omer-offering and the meal-offering of the priests.
- (5) V. supra p. 349, n. 7.
- (6) I.e., if he put either oil or frankincense upon the sinner's meal-offering or upon the meal-offering of jealousy.
- (7) A vessel containing oil for frankincense was put over the one containing the sinner's meal-offering.
- (8) Lev. V, 11, with reference to the sinner's meal-offering.
- (9) Ibid. It is a valid sin-offering even though it has had frankincense put upon it.
- (10) In the flour, as is the case with the oil.
- (11) Evidently the main reason is that it can be picked off again; consequently where this is not possible, as in our case where the frankincense was ground fine, it would be invalid.
- (12) And one reason is valid without the other so that even though it cannot be picked off again it is still valid since it is not absorbed in the flour.
- (13) E.g., if during the taking out of the handful he intended to burn it outside its proper time or to eat of the remainder outside its proper time.
- (14) V. Glos.

MENACHOS III – 59a-86a

(15) For since the meal-offering is invalid by reason of the frankincense thereon the penalty for Piggul cannot be incurred. V. supra 16b.

(16) And the meal-offering is valid once again. It is evident, therefore, that the sole reason why the addition of frankincense to the meal-offering does not render it absolutely invalid is that it can be picked off and so become valid once again.

(17) This is the text strongly supported by Tosaf. and for which there is MS. authority (v. Dik. Sof. a.l. n. 60), and the interpretation is as follows: Why is it taught in our Mishnah and in the Baraitha quoted in the Gemara that the frankincense may be picked off from the meal-offering? But surely, once the meal-offering has had frankincense put upon it, it became invalid and so absolutely rejected as a meal-offering! How then can it become valid after it had once been made invalid? Cf. the similar question in Zeb. 34b and the identical answers of Raba and R. Ashi. The text in cur. edd. reads: 'Let it be regarded as though a cruse (of oil had been poured out over the meal-offering); wherefore then is it rendered invalid by any wrongful intention? Surely it has become absolutely rejected!' And the interpretation is: why is it stated in the last-mentioned Baraitha that if a person expressed a wrongful intention with regard to the meal-offering whilst it had the frankincense upon it he has thereby rendered it invalid? But surely the wrongful intention cannot affect it since it has been already rejected as a meal-offering by reason of the frankincense that is upon it.

(18) Lev. V, 11. It is still valid as a sin-offering even after it has had frankincense upon it.

(19) Where the Scapegoat had died before the blood of the goat that was to be offered unto the Lord on the Day of Atonement had been sprinkled, the latter is by no means rejected as invalid so as to necessitate the bringing anew of two goats and to cast lots over them, but rather this blood becomes fit again for its purpose as soon as another goat is brought as a Scapegoat, v. Yoma 63b.

(20) Accordingly this meal-offering is not regarded as rejected as the frankincense can easily be picked off and so become valid once again.

(21) Of the goat that was to be offered inside unto the Lord.

(22) For it is absolutely rejected, and two goats must be brought anew.

(23) Yoma 62a.

(24) After all the Passover lambs had been slaughtered.

(25) The purpose being to render valid by this sprinkling any Passover-offering whose blood might have been spilt on the ground. V. Pes. 64a. Hence it is clear that a matter is not absolutely

rejected provided it lies within one's power to set it right again.

(26) Lev. V,11.

(27) Namely an olive's bulk.

(28) Ibid. Usually translated He shall not lay thereon. The Heb. נתן 'give', however, is used, which verb in another context, Lev. XXII, 14, clearly implies something worthy to be given, at least an olive's bulk. V. Sh. Mek. n. 9.

Menachoth 60a

it is an amplification following an amplification, and whenever an amplification follows another amplification it signifies limitation only.¹ Others report it as follows: R. Isaac b. Joseph said that R. Johanan raised the following question, What is the law if a man put the minutest quantity of oil upon an olive's bulk of the [sinner's] meal-offering? Are we to say that in the putting [of oil] there must be the same quantity as the giving [of frankincense],² or not? The question remains unanswered.

IF HE PUT OIL ON THE REMAINDER. Our Rabbis taught: It is written, 'He shall not put', and 'He shall not give'. I might think that these prohibitions refer to two priests,³ the text therefore states 'upon it'; thus the [prohibitions in the] verse clearly refer to the meal-offering itself and not to the priest. I might also think that he should not put one vessel above the other vessel, and that if he did so he has rendered it invalid, the text therefore states 'upon it', the verse clearly refers to the actual meal-offering.⁴

MISHNAH. SOME [MEAL-OFFERINGS] REQUIRE BRINGING NEAR⁵ BUT NOT WAVING,⁶ SOME REQUIRE BRINGING NEAR AND ALSO WAVING, SOME REQUIRE WAVING BUT NOT BRINGING NEAR, AND SOME REQUIRE NEITHER BRINGING NEAR NOR WAVING. THESE REQUIRE BRINGING NEAR BUT NOT WAVING: THE MEAL-OFFERING OF FINE FLOUR,⁷ THAT PREPARED ON A GRIDDLE, THAT PREPARED IN A PAN, THE CAKES AND THE WAFERS, THE MEAL-OFFERING OF THE

MENACHOS III – 59a-86a

PRIESTS, THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST, THE MEAL-OFFERING OF A GENTILE, THE MEAL-OFFERING OF WOMEN, AND THE SINNER'S MEAL-OFFERING. R. SIMEON SAYS, THE MEAL-OFFERING OF THE PRIESTS AND THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST DO NOT REQUIRE BRINGING NEAR, SINCE NO HANDFUL IS TAKEN OUT OF THEM, AND WHERE NO HANDFUL IS TAKEN OUT BRINGING NEAR IS NOT NECESSARY.

GEMARA. R. Papa said,⁸ All [the meal-offerings] enumerated in the Mishnah must consist of ten [cakes]. What does he teach us?—He wishes to exclude thereby R. Simeon's view who said, He may offer half in cakes and half in wafers; and so he teaches us [that it is not so]. Whence is it derived?⁹ —

Our Rabbis taught:¹⁰ Had [Scripture] stated, And thou shalt bring that which is made of these things unto the Lord, and he shall present it unto the priest and he shall bring it unto the altar,¹¹ I would have said that I learn from this that the handful alone required bringing near; but whence would I know this of the whole meal-offering?¹² The text therefore states 'meal-offering'. And whence would I know this of the sinner's meal-offering? The text therefore states 'the meal-offering'. But surely this could be derived by the following argument:¹³ [Scripture] speaks of the offering of

(1) The fact that the term 'upon it', which is an amplification signifying a minimum of an olive's bulk, is repeated indicates that in the second case, re frankincense, this minimum quantity is not essential.

(2) Namely at least an olive's bulk.

(3) But if the same priest put both oil and frankincense upon it he would only be liable once.

(4) The oil (or frankincense) must not be put actually upon the flour of the meal-offering and mixed with it, but it is of no consequence if the oil, being in a vessel, was placed over the meal-offering.

(5) I.e., to be taken by the priest to the south-west corner of the altar.

(6) The ceremony in which the priest put his hands under those of the person bringing the meal-offering and waved it to and fro before the altar; v. infra 61a Mishnah.

(7) For the explanation of the various kinds of meal-offerings v. foregoing Mishnah, supra p. 346 and notes thereon.

(8) For the two interpretations of this statement of R. Papa v. supra p. 347, n. 10.

(9) That the meal-offerings enumerated in our Mishnah require bringing near.

(10) The whole of the following Gemara till the next Mishnah is to be found in the Sifra, Lev. II, 8.

(11) The reference is to Lev. II, 8, and the verse in full reads: And thou shalt bring the meal-offering that is made, etc.

(12) That the whole meal-offering must be brought near before the taking of the handful.

(13) That the sinner's meal-offering requires bringing near, so that "the" in the above verse is rendered superfluous.

Menachoth 60b

a meal-offering as an obligation and it also speaks of the offering of a meal-offering as of free will: just as the freewill meal-offering requires bringing near, so the obligatory meal-offering requires bringing near. And [if it be objected that] this¹ is so of the freewill meal-offering since it requires both oil and frankincense,² then the meal-offering of a suspected adulteress can prove [the contrary].³ And [if it be objected that] this is so of the meal-offering of the suspected adulteress since it requires waving, then the freewill meal-offering can prove [the contrary].⁴ The argument thus goes round. The distinguishing feature of this [meal-offering] is not that of the other [meal-offering], and the distinguishing feature of the other [meal-offering] is not that of this one.⁵ Their common features,⁶ however, are that they are alike with regard to the taking of the handful and also with regard to bringing near; I will then also include the sinner's meal-offering, that since it is like unto them with regard to the taking of the handful it shall be like unto them also with regard to the bringing near. But [it will be objected that] there is yet another common feature, namely that the same offering is

MENOSCHOS III – 59a-86a

valid for the rich as for the poor, whereas in the case of the sinner's meal-offering the same offering is not valid for the rich as for the poor.⁷ The text therefore [must] state 'the meal-offering'.

R. Simeon says, 'And thou shalt bring' — this includes the meal-offering of the 'Omer, so that it too requires bringing near, as it is said, Ye shall bring the sheaf of the first-fruits of your harvest unto the priest.⁸ 'And he shall present it' — this includes the meal-offering of a suspected adulteress, so that it too requires bringing near, as it is said, And he shall present it unto the altar.⁹ But surely this could be derived by the following argument:¹⁰ if the sinner's meal-offering, which does not require waving, nevertheless requires bringing near, how much more does the meal-offering of a suspected adulteress, which requires waving, require bringing near! But [if it be objected that] this¹¹ is so of the sinner's meal-offering since it is offered from wheat,¹² then the meal-offering of the 'Omer can prove [the contrary].¹³ And [if it be objected that] this is so of the meal-offering of the 'Omer since it requires both oil and frankincense, then the sinner's meal-offering can prove [the contrary]. The argument thus goes round. The distinguishing feature of this [meal-offering] is not that of the other, and the distinguishing feature of that [meal-offering] is not that of this one. Their common features,¹⁴ however, are that they are alike with regard to the taking of the handful and also with regard to bringing near; I will then also include the meal-offering of a suspected adulteress, that since it is like unto them with regard to the taking of the handful it shall be like unto them also with regard to the bringing near. But [it will be objected that] there is yet another common feature, namely that coarse flour is not valid in either case,¹⁵ whereas in the case of the meal-offering of the suspected adulteress [only] coarse flour is valid. The text [must] therefore state, 'And he shall present it'.

R. Judah says, 'And thou shalt bring', includes the meal-offering of a suspected adulteress, so that it too requires bringing near, as it is said, And he shall bring her offering for her.¹⁶ For the meal-offering of the 'Omer, however, no verse is necessary,¹⁷ since it can be inferred from the following argument: if the sinner's meal-offering, which does not require waving, requires bringing near, how much more does the meal-offering of the 'Omer, which requires waving, require bringing near! But [if it be objected that] this is so of the sinner's meal-offering since it is offered of wheat, then the meal-offering of the suspected adulteress can prove [the contrary]. And [if it be objected that] that this is so of the meal-offering of the suspected adulteress since it is brought to discover guilt,¹⁸ then the sinner's meal-offering can prove [the contrary].¹⁹ The argument thus goes round. The distinguishing feature of this [meal-offering] is not that of the other, and the distinguishing feature of the other [meal-offering] is not that of this one. Their common features,²⁰ however, are that they are alike with regard to the taking of the handful and also with regard to bringing near; I will then include the meal-offering of the 'Omer, too, that since it is like unto them in respect of the taking of the handful it shall be like unto them in respect of bringing near. And what objection can you now raise against this?

R. Simeon, however, objects to it on this ground: there is yet another common feature, namely that those may happen frequently.²¹ But R. Judah maintains that, on the contrary; this²² is more frequent, whereas the others may never happen at all. But perhaps the expression 'And thou shalt bring'²³ serves rather to intimate that an individual may of his free will bring a meal-offering other than those mentioned in the context!²⁴ And this can even be supported by the following argument: the community brings a meal-offering of wheat²⁵ as an obligation and it

MENOCHOS III – 59a-86a

also brings a meal-offering of barley²⁶ as an obligation, then likewise an individual, since he brings a meal-offering of wheat of his free will, may also bring a meal-offering of barley of his free will. The text therefore states these:²³ only these that are mentioned in the context. But perhaps the expression ‘these’ serves only to signify that a person who says ‘I take upon myself to offer a meal-offering’ must bring the five kinds.²⁷ The text therefore states ‘of these’, implying that if he so wishes he may bring one only, and if he so wishes he may bring the five kinds.

R. Simeon says, The expression ‘the meal-offering’²³ includes other meal-offerings,²⁸ so that they too require bringing near. But I might say that it includes also the Two Loaves and the Showbread, the text therefore states of these. And why do you prefer to include other meal-offerings and to exclude the Two Loaves and the Showbread [rather than the reverse]?²⁹ include other meal-offerings since part thereof is put upon the fire of the altar,’ but I exclude the Two Loaves and the Showbread since no part thereof is put upon the fire of the altar. But the meal-offering offered with the drink-offerings is put entirely upon the fire, is it not? Then I would say that it requires bringing near! The text therefore states, And he shall present it.³⁰ But have you not employed this expression for another purpose?³¹ — [For that alone, Scripture could have stated] ‘And he shall present’, but it says, And he shall present it.³² And why do you prefer to include other meal-offerings and to exclude the meal-offering offered with the drink-offerings [rather than the reverse]?

- (1) The rite of bringing near.
- (2) Whereas the obligatory meal-offering, namely the sinner's meal-offering, requires neither oil nor frankincense; and that being so, it would also not require bringing near.
- (3) This meal-offering requires neither oil nor frankincense and yet requires bringing near; the same would be said of the sinner's meal-offering.

(4) The freewill meal-offering does not require waving yet requires bringing near; the same could be said of the sinner's meal-offering.

(5) The rite of waving prescribed in the meal-offering of the suspected adulteress cannot be said to be the cause entailing the bringing near since this cause is not found with the freewill meal-offering. And, on the other hand, the need for oil and frankincense in the freewill meal-offering cannot be the cause entailing the bringing near since this cause is not found with the meal-offering of the suspected adulteress.

(6) Between the freewill meal-offering and the meal-offering of a suspected adulteress.

(7) The meal-offering brought as a sin-offering is prescribed only for a person in poor circumstances; a person of better means must bring a pair of doves, and a rich person a lamb, for a sin-offering. V. Lev. V, 6, 7, 11.

(8) Ibid. XXIII, 10, where the same expression ‘bring’ is used.

(9) Num. V, 25, where the same expression ‘present’ is used,

(10) That the meal-offering of a suspected adulteress requires bringing near, so that the verse which expressly includes it becomes superfluous.

(11) The rite of bringing near.

(12) Whereas the meal-offering of a suspected adulteress was of barley; cf. Num. V, 15.

(13) The ‘Omer meal-offering was of barley and yet required bringing near; the same would then be said of the meal-offering of a suspected adulteress.

(14) Between the ‘Omer meal-offering and the sinner's meal-offering.

(15) The sinner's meal-offering must be of fine flour of wheat and the ‘Omer meal-offering, although of barley, must also be fine and not coarse.

(16) Num. V, 15, where the same expression ‘bring’ is used.

(17) To teach that it requires bringing near. According to R. Judah the expression ‘And he shall present it’ is utilized later for another purpose; v. infra.

(18) To ascertain whether this woman committed adultery or not. The ‘Omer meal-offering, on the other hand, has no relation to sin.

(19) For it is not brought in order to discover sin but rather to atone for a sin committed, and yet requires bringing near; the same would be said of the meal-offering of the ‘Omer, namely, although it has no relation to any sin it requires bringing near.

(20) Between the sinner's meal-offering and the meal-offering of the suspected adulteress.

MENACHOS III – 59a-86a

(21) Those two meal-offerings (v. p. 358, n. 6) may be offered quite frequently, whereas the 'Omer meal-offering is offered but once a year, on the sixteenth day of Nisan.

(22) The 'Omer meal-offering.

(23) Lev. II, 8.

(24) I.e., that an individual be allowed to offer a meal-offering of barley of his free will, for all the meal-offerings mentioned in the context are of wheat.

(25) The Two Loaves at Pentecost.

(26) The meal-offering of the 'Omer.

(27) That are enumerated in this passage viz., the meal-offering of fine flour, that prepared on a griddle, that prepared in a pan, and that, baked in the oven which is of two kinds, of cakes and of wafers.

(28) Namely, the sinner's meal-offering, thus in agreement with the view of the first Tanna stated supra 60a, ad fin. The additional words in the text, e.g., 'the meal-offering of a gentile and the meal-offering of women' are not found in the MSS., or in the parallel passage in the Sifra, and evidently were not in the text before Rashi. They are struck out by Sh. Mek.

(29) Sc. the handful. And in this respect they are like those meal-offerings mentioned in the context.

(30) Lev. II, 8.

(31) Supra p. 357. The expression, as stated above, includes the meal-offering of a suspected adulteress.

(32) It is therefore the pronominal suffix 'it' which excludes this meal-offering that is offered with the drink-offerings.

Menachoth 61a

I include other meal-offerings since they may be offered by themselves,¹ but I exclude the meal-offering offered with the drink-offerings since it may not be offered by itself. But the meal-offering of the priests and the meal-offering of the anointed High Priest are offered by themselves, are they not? Then I would say that they require bringing near! The text therefore states, 'And he shall bring it near', But surely this expression is required for its own sake, namely that [the meal-offerings mentioned in the context] require bringing near! — [For that alone Scripture could have stated] 'And he shall bring near', but it says, And he shall bring it near.² And why do you prefer to include other meal-offerings and to exclude the meal-offering of

the priests and the meal-offering of the anointed High Priest [rather than the reverse]?

I include the other meal-offerings since [like the meal-offerings stated in the context] part thereof is put upon the fire of the altar, they are offered by themselves, and part thereof is eaten by the priests, but I exclude the Two Loaves and the Showbread since no part thereof is put upon the fire of the altar, [I exclude] the meal-offering offered with the drink-offerings since it is not offered by itself, and [I exclude] the meal-offering of the priests and the meal-offering of the anointed High Priest since no part thereof is eaten by the priests. And he shall take out:⁴ I might think with a vessel; the text therefore states [elsewhere], And he shall take out therefrom with his handful;⁵ as the taking out in the latter case is with his handful, so the taking out in the former is with his handful.

MISHNAH. THESE REQUIRE WAVING BUT NOT BRINGING NEAR: THE LOG OF OIL OF THE LEPER AND HIS GUILT-OFFERING,⁶ THE FIRST-FRUITS ACCORDING TO R. ELIEZER B. JACOB, THE SACRIFICIAL PORTIONS OF AN INDIVIDUAL'S PEACE-OFFERINGS AND THE BREAST AND THIGH THEREOF, WHETHER THEY ARE THE OFFERINGS OF MEN OR OF WOMEN, BY ISRAELITES BUT NOT BY OTHERS;⁷ THE TWO LOAVES AND THE TWO LAMBS OF PENTECOST. HOW IS IT PERFORMED?

HE PLACES THE TWO LOAVES UPON THE TWO LAMBS AND PUTS HIS TWO HANDS BENEATH THEM AND WAVES THEM FORWARD AND BACKWARD AND UPWARD AND DOWNWARD, FOR IT IS WRITTEN, WHICH IS WAVED AND WHICH IS HEAVED UP.⁸

THE WAVING WAS PERFORMED ON THE EAST SIDE⁹ [OF THE ALTAR] AND THE BRINGING NEAR ON THE WEST SIDE. THE CEREMONY OF WAVING COMES BEFORE

MENOCHOS III – 59a-86a

THAT OF BRINGING NEAR.¹⁰ THE MEAL-OFFERING OF THE ‘OMER AND THE MEAL-OFFERING OF JEALOUSY REQUIRE BRINGING NEAR AND WAVING. THE SHEWBREAD AND THE MEAL-OFFERING WITH THE DRINK-OFFERINGS REQUIRE NEITHER BRINGING NEAR NOR WAVING.

R. SIMEON SAYS, THERE ARE THREE KINDS OF OFFERING WHICH [BETWEEN THEM] REQUIRE THREE RITES; TWO [OF THE THREE RITES] APPLY TO EACH KIND OF OFFERING, BUT THE THREE ARE WITH NONE. AND THESE ARE THEY: THE PEACE-OFFERING OF THE INDIVIDUAL, THE PEACE-OFFERING OF THE COMMUNITY¹¹ AND THE GUILT-OFFERING OF THE LEPER. THE PEACE-OFFERING OF THE INDIVIDUAL REQUIRES THE LAYING ON OF HANDS FOR THE LIVING ANIMAL AND WAVING¹² AFTER IT IS SLAUGHTERED, BUT IT DOES NOT REQUIRE WAVING FOR THE LIVING ANIMAL.

THE PEACE-OFFERING OF THE COMMUNITY REQUIRES WAVING FOR THE LIVING ANIMAL AND ALSO AFTER IT IS SLAUGHTERED, BUT IT DOES NOT REQUIRE THE LAYING ON OF HANDS. THE GUILT-OFFERING OF THE LEPER REQUIRES THE LAYING ON OF HANDS AND ALSO WAVING FOR THE LIVING ANIMAL, BUT IT DOES NOT REQUIRE WAVING AFTER IT IS SLAUGHTERED.

GEMARA. Our Rabbis taught: And he shall offer it for a guilt-offering, and the log of oil, and shall wave them for a wave-offering;¹³ this teaches us that they¹⁴ are to be waved together. But whence is it inferred that it is valid even if each was waved separately? The text therefore states, And he shall offer it for a guilt-offering, and the log of oil, and shall wave.¹⁵ Perhaps then they¹⁴ should first be waved [together] and again be waved [separately]?¹⁶ The verse clearly states, ‘For a wave-offering’, and not for wave-offerings. Before the Lord,¹⁷ that is, on the east side of

the altar.¹⁸ But has it not been said, ‘Before the Lord:¹⁹ perhaps this means on the west side’?²⁰ — I answer, That was said only of the meal-offering for it is designated a sin-offering, and a sin-offering requires the base of the altar,²¹ whereas at the south-east corner there was no base;²² here,²³ however, we certainly can speak of the east side as ‘before the Lord’.

THE FIRST-FRUITS ACCORDING TO R. ELIEZER B. JACOB. What is the teaching of R. Eliezer b. Jacob? — It was taught: And the priest shall take the basket out of thy hand:²⁴ this indicates that the first-fruits require waving; so R. Eliezer b. Jacob. What is the reason of R. Eliezer b. Jacob? — It is derived from the occurrence of the word ‘hand’ both here and in connection with the peace-offerings. Here it is written, ‘And the priest shall take the basket out of thy hand’, and there it is written, His²⁵ own hands shall bring the offerings.²⁶

- (1) And in this respect it is like the meal-offerings mentioned in this context.
- (2) The former general expression informs us of the requirement of bringing near, whilst the suffix ‘it’ excludes others from this ceremony.
- (3) I.e., the remainder after the handful has been burnt.
- (4) Lev. II, 9.
- (5) Ibid. VI, 8.
- (6) Brought by the leper on the day of his cleansing, cf. *ibid.* XIV, 10, 12.
- (7) Explained in the Gemara, *infra* p. 364.
- (8) Ex. XXIX, 27.
- (9) According to Rashi this means, even on the east side, but it is all the better if performed on the west side which is the side nearest to the inner Sanctuary and thus best fulfils the expression ‘before the Lord’ used in connection with the waving (Lev. XIV, 12). According to Maim. it is to be performed on the east side only; v. *Yad, Ma'aseh ha-Korbanoth* IX, 7.
- (10) In those offerings where both ceremonies must be performed.
- (11) These are the two lambs of Pentecost.
- (12) Sc. of the breast and thigh.
- (13) Lev. XIV, 12.
- (14) The log of oil and the lamb of the guilt-offering.

MENOSCHOS III – 59a-86a

(15) Interpreting 'and shall wave' as referring to the last mentioned, namely the log of oil by itself.

(16) So as to fulfill both possible interpretations of the verse.

(17) Lev. XIV, 12.

(18) I.e., even on the east side, v. supra p. 361, n. 7.

(19) Ibid. VI, 7.

(20) V. supra 19b. It is clear therefore that the expression 'before the Lord' could well mean the west side.

(21) Where the residue of the blood of the sin-offering must be tossed.

(22) V. Mid. 35b. Accordingly 'before the Lord' in connection with the bringing near of the meal-offering must be interpreted as the south-west corner; west being essential on account of the base; and south also, so as to fulfill the requirement 'to the front of the altar' (Lev. VI, 7), since that is considered as the front of the altar, for there the ascent begins.

(23) In the case of the waving.

(24) Deut. XXVI, 4.

(25) Sc. the owner's.

(26) Lev. VII, 30, with reference to the waving of the breast and thigh of the peace-offering.

Menachoth 61b

Just as here the priest [is stated], so there too the priest [is meant]; and just as there the owner [is referred to], so here too the owner [is required]. How is it to be done? The priest places his hand under the hands of the owner and waves. And why does not [the Mishnah] say, 'The first-fruits also according to R. Judah'? For it was taught: R. Judah says, And thou shalt set it down:¹ this refers to the rite of waving. You say that it refers to the waving, but perhaps it means literally 'setting it down!' As it has already said, And set it down, setting down [in the literal sense] has already been indicated. What then is the meaning of, 'And thou shalt set it down'? It can only refer to the waving! — Raba answered, It is only because his² verse is stated earlier in the chapter.³ R. Nahman b. Isaac answered, It is because his² knowledge was exceptional.⁴

THE SACRIFICIAL PORTIONS OF AN INDIVIDUAL'S PEACE-OFFERINGS AND THE BREAST AND THE THIGH

THEREOF, WHETHER THEY ARE THE OFFERINGS OF MEN OR OF WOMEN, BY ISRAELITES BUT NOT BY OTHERS. What does this mean? Said Rab Judah: It means this: **WHETHER THEY ARE THE OFFERINGS OF MEN OR OF WOMEN** these offerings require waving, but the rite of waving shall be performed by Israelites and not by women.⁵

Our Rabbis taught: The children of Israel may perform the rite of waving but not gentiles; the children of Israel may perform the rite of waving but not women. R. Jose said, Since we find that Scripture has distinguished between the offering of an Israelite and the offering of a gentile or of a woman with regard to the laying on of hands,⁶ should we not also make this distinction with regard to the rite of waving?⁷ No; for whereas there is good reason to make such a distinction with regard to the laying on of hands, by virtue of the fact that the laying on of hands must be performed by the owner of the offering,⁸ is there any reason to make such a distinction with regard to the rite of waving, seeing that the priests [also] perform the waving?⁹ Why then¹⁰ does the text expressly state 'the children of Israel'?¹¹ To teach that the children of Israel may perform the waving but not gentiles;¹² the children of Israel may perform the waving but not women.¹³

Another [Baraita] taught: It is written, The children of Israel. I know from this that the children of Israel [perform the waving]; whence do I know to include also proselytes and freed slaves? The text therefore states, He that offereth.¹⁴ Perhaps 'he that offereth' refers only to the priest! But since the verse states subsequently, His own hands shall bring the offerings,¹⁵ the owners are already indicated. How is it then to be explained?¹⁶ The priest places his hand under the hands of the owner and waves.

(1) Deut. XXVI, 10.

(2) Sc. R. Eliezer b. Jacob's.

MENACHOS III – 59a-86a

(3) Since R. Eliezer b. Jacob based his exposition on Deut. XXVI, 4, and R. Judah on v. 10, the Tanna of the Mishnah therefore only quoted R. Eliezer b. Jacob.

(4) Lit., 'his strength was great'. Cf. 'Er. 62b.

(5) A woman's peace-offering was waved by the priest on her behalf.

(6) For the offering of a woman or a gentile does not require the laying on of the hands, not even by proxy.

(7) That the offering of women or of gentiles shall not be waved at all, not even by a priest on their behalf.

(8) Personally and not by proxy; hence the rite of laying on the hands cannot apply to the offerings of women and gentiles as it is not proper for them to enter the Sanctuary for this purpose.

(9) So that in the case of women and gentiles the priest may act on their behalf.

(10) Seeing that as a result of the foregoing argument the offerings of women and gentiles require waving by the priest on their behalf.

(11) Lev. VII, 29, stated with reference to the rite of waving.

(12) Personally; the priest, however, waves it on their behalf.

(13) V. Dik. Sof. for a variant text that is inserted here. V. also Sh. Mek. n. 2.

(14) Lev. VII, 29, stated with reference to the rite of waving.

(15) Ibid. 30.

(16) The latter verse speaks of the owner himself performing the waving, whereas the previous verse, it has been suggested, refers to the rite as being performed by the priest. How are these verses to be reconciled?

[into the hands of the priest that is about to wave them].⁷ But is it not also written, And they put the fat upon the breasts?⁸ — This refers to the handing over of these to the priest that is about to burn them.⁹ These verses incidentally teach us that three priests are required [for this part of the service], as it is said, In the multitude of people is the king's glory.¹⁰

THE TWO LOAVES AND THE TWO LAMBS OF PENTECOST. Our Rabbis taught: [It is written,] And the priest shall wave them, upon ['al] the bread of the first-fruits [for a wave-offering before the Lord upon ['al] the two lambs].¹¹ I might think that he should put the lambs upon the bread, the text therefore states, Upon the two lambs.¹¹ If [I had only the expression] 'upon the two lambs' [to go by], I might think that he should put the bread upon the lambs, the text therefore states, 'upon the bread of the first-fruits'. Now the verse is equally balanced and I know not whether the bread shall be upon the lambs or the lambs upon the bread; since, however, we find that in all cases the bread is on top, then here, too, the bread shall be on top. (Where was it so? — R. Papa said, At the consecration [of the priests].)¹²

Menachoth 62a

How was it arranged?¹ The sacrificial portions were put upon the palm of the hand and the breast and thigh above them; and whenever there were cakes [to be waved] the cakes were always on top, Where [is this seen]?² — R. Papa said, At the consecration [of the priests].³ Why is it so?⁴ Shall I say it is because it is written, The thigh of heaving and the breast of waving they shall put upon the fat of the fire-offering, to wave it for a wave-offering?⁵ But is it not also written, He shall bring the fat upon the breast?⁶ — Abaye answered, The latter refers to the manner in which the priest brings them from the slaughtering place and turns them over

R. Jose b. ha-Meshullam says, The lambs shall be on top. And how can I explain, 'Upon the two lambs'? to exclude the seven lambs.¹³ Hanina b. Hakinai says, He must put the two loaves between the thighs of the lambs and wave them;¹⁴ thus fulfilling both verses, the bread upon the lambs and the lambs upon the bread. Said Rabbi, Surely before a king of flesh and blood one would not do so,¹⁵ how much less before the King of Kings, the Holy One, blessed be He! Therefore, he should put one beside the other and wave them. But we have to conform with [the expression] 'al!¹⁶ — R. Hisda said to R. Hamnuna (others say, R. Hamnuna said to R. Hisda), Rabbi follows his general view that 'al means 'near to'; as it was taught: It is written, And thou shalt put pure frankincense 'ai each row.¹⁷ Rabbi says,

MENOCHOS III – 59a-86a

‘Al means near to’. You say that ‘al means ‘near to’; but perhaps it is not so but rather it signifies literally ‘upon’? Since it states, And thou shalt put a veil ‘al the ark,¹⁸ conclude that ‘al means ‘near to’.

AND WAVES THEM FORWARD AND BACKWARD AND UPWARD AND DOWNWARD. R. Hiyya b. Abba said in the name of R. Johanan, **FORWARD AND BACKWARD,**¹⁹ that is to Him unto Whom the [four] directions belong; **UPWARD AND DOWNWARD,** that is to Him unto Whom heaven and earth belong. In the West²⁰ it was taught as follows: R. Hama b. ‘Ukba said in the name of R. Jose b. R. Hanina, **FORWARD AND BACKWARD,** in order to keep off violent winds; **UPWARD AND DOWNWARD,** in order to keep off harmful dews. R. Jose son of R. Abin said, This proves that even the dispensable rites of a precept²¹ [when performed] ward off punishment, for the rite of waving is dispensable in the precept and yet it keeps off violent winds and harmful dews. Rabbah said, Likewise with the lulab.²² R. Aha b. Jacob used to swing it forward and backward, and hold it out and say, ‘An arrow in the eyes of Satan!’²³ But it is not proper to do so, for it is a challenge [to Satan] to contend with him.

Our Rabbis taught: The peace-offerings of the community require waving [also] after they are slaughtered, and the waving must be of them as they are.²⁴ So Rabbi. But the Sages say, Only of the breast and thigh. Wherein do they differ? — R. Hisda said to R. Hamnuna (others say, R. Hamnuna said to R. Hisda), They differ as to whether we say ‘Deduce from it and again from it’, or ‘Deduce from it and establish it in its own place’.²⁵ The Rabbis maintain the principle, ‘Deduce from it and again from it’. [‘Deduce from it’:] as the individual's peace-offering requires waving after it is slaughtered, so the peace-offerings of the community also require waving after they are slaughtered; and ‘again from it’: just as the waving there²⁶ is of the

breast and thigh, so here it is also of the breast and thigh. Rabbi, however, maintains the principle ‘Deduce from it and establish it in its own place’. [‘Deduce from it’:] as the individual's peace-offering requires waving after it is slaughtered, so the peace-offerings of the community also require waving after they are slaughtered; and ‘establish it in its own place’: whereas there²⁶ the waving is of the breast and thigh only, here it is of them as they are, that is, as they are when alive.

- (1) For the waving.
- (2) That the cakes were put on top.
- (3) Cf. Lev. VIII, 26, 27. where it is expressly stated that the cakes were put on top.
- (4) That the breast and thigh shall be placed above the sacrificial portions i.e., above the fat.
- (5) Lev. X, 15.
- (6) Ibid. VII, 30.
- (7) So that now in the hands of the priest that waves them the breast and thigh are above the fat.
- (8) Ibid. IX, 20.
- (9) The priest that waved them when handing them to another priest to be burnt would naturally turn them over into that other priest's hands, so that now the fat would be on top.
- (10) Prov. XIV, 28.
- (11) Lev. XXIII, 20. The Heb. על usually connotes ‘upon’, but this term precedes ‘the bread’ and also ‘the two lambs’, hence the difficulty as to which was in fact ‘upon’ the other.
- (12) V. supra p. 365, n. 8.
- (13) The seven lambs brought as burnt-offerings with the bread (ibid. 18) were not waved with it.
- (14) He must lay down the lambs on their sides, place the loaves between their legs, i.e., above the lower but beneath the upper leg, and thus wave them.
- (15) It is most undignified to present the bread in this manner.
- (16) Which usually means ‘upon’.
- (17) Lev. XXIV, 7, with reference to the two rows of the Showbread.
- (18) Ex. XL, 3. The veil was not ‘upon’ the ark but ‘near to’ i.e., in front of it, Screening it off and serving as a partition between the holy place and the Holy of Holies.
- (19) I.e., in all four directions.
- (20) In Palestine.
- (21) Lit., ‘the remainder of a precept’, i.e., those rites which even if omitted do not affect the validity of the service. Among such are the rites of laying on the hands and waving.
- (22) The palm branch required for the Festival of Tabernacles must be waved in the same manner as

MENOCHOS III – 59a-86a

the waving of the offering. viz., 10 the four directions and upward and downward.

(23) An expression of defiance, as if to say, 'I defy you Satan!' Or: 'this is an arrow or weapon against your wiles, Satan!' (R. Gershom).

(24) I.e., the whole of the slaughtered beast must be waved and not only the breast and thigh.

(25) Whenever a subject is inferred from another by means of analogy or by 'the common features' the question always arises as to the extent to which the inference must be carried. The rule 'deduce from it and again from it' clearly suggests that the two subjects must in the end be brought to absolute agreement on every point. On the other hand, 'deduce from it and establish it in its place' suggests that the inference is to be made with regard to one point only, and as for the rest each subject is regulated by the rules governing its other aspects.

(26) The individual's peace-offering.

Menachoth 62b

R. Papa said, All accept the principle 'Deduce from it and again from it', but this is Rabbi's reason, namely, it¹ must be analogous with the rule there: and as in that case all that which is given as a gift to the priest [must be waved], so here also all that which is given as a gift to the priest [must be waved].² Rabina said, All accept the principle 'Deduce from it and establish it in its own place', but this is the reason of the Rabbis: It is written, Their peace-offerings,³ which is an inclusive term.

R. SIMEON SAYS, THERE ARE THREE KINDS OF OFFERING WHICH [BETWEEN THEM] REQUIRE THREE RITES; TWO [OF THE THREE RITES] APPLY TO EACH KIND OF OFFERING, BUT THE THREE ARE WITH NONE. AND THESE ARE THEY: THE PEACE-OFFERING OF THE INDIVIDUAL, THE PEACE-OFFERING OF THE COMMUNITY AND THE GUILT-OFFERING OF THE LEPER, THE PEACE-OFFERING OF THE INDIVIDUAL REQUIRES THE LAYING ON OF HANDS FOR THE LIVING ANIMAL AND WAVING AFTER IT IS SLAUGHTERED, BUT IT DOES NOT REQUIRE WAVING

FOR THE LIVING ANIMAL. THE PEACE-OFFERING OF THE COMMUNITY REQUIRES WAVING FOR THE LIVING ANIMAL AND ALSO AFTER IT IS SLAUGHTERED, BUT IT DOES NOT REQUIRE THE LAYING ON OF HANDS. THE GUILT-OFFERING OF THE LEPER REQUIRES THE LAYING ON OF HANDS AND ALSO WAVING FOR THE LIVING ANIMAL, BUT IT DOES NOT REQUIRE WAVING AFTER IT IS SLAUGHTERED.

But [surely one could argue by the following] a fortiori argument that the peace-offering of the individual should require waving for the living animal: for if the peace-offering of the community, which does not require the laying on of hands for the living animal, requires waving for the living animal, how much more does the peace-offering of the individual, which requires the laying on of hands for the living animal, require waving for the living animal! — The Divine Law stated in connection with the peace-offering of the community the exclusive term 'them'⁴ in order to exclude the peace-offering of the individual. Again [one could argue by the following] a fortiori argument that the peace-offering of the community should require the laying on of hands: for if the peace-offering of the individual, which does not require waving for the living animal, requires the laying on of hands, how much more does the peace-offering of the community, which requires waving for the living animal, require the laying on of hands!—

Said Rabina: There is a tradition that among the offerings of the community only two require the laying on of hands.⁵ And again [one could argue by the following] a fortiori argument that the guilt-offering of the leper should require waving after it is slaughtered: for if the peace-offering of the individual, which does not require waving for the living animal, requires waving after it is slaughtered, how much more should the

MENOSCHOS III – 59a-86a

guilt-offering of the leper, which requires waving for the living animal, require waving after it is slaughtered! — The Divine Law therefore stated the exclusive term ‘it’⁶ in connection with the peace-offering of the individual in order to exclude the guilt-offering of the leper.

Our Rabbis taught: If five persons brought one offering [jointly], one of them performs the rite of waving on behalf of them all. In the case of a woman, the priest waves [the offering] on her behalf. And so, too, if a person sent his offerings from across the seas, the priest waves them on his behalf.

(1) The peace-offering of the community.

(2) Here the whole beast is a gift to the priest, whilst in the case of an individual's peace-offering only the breast and thigh ‘are given to the priest.

(3) Lev. VII, 34. with reference to the peace-offering of an individual. The use of the plural ‘peace-offerings’ signifies that even in another kind of peace-offering, namely that of the community, only the breast and the thigh are to be waved.

(4) Lev. XXIII, 20.

(5) And these are: the bullock offered when the whole community sinned in error and the Scapegoat on the Day of Atonement,

(6) Lev. VII, 30.

Menachoth 63a

MISHNAH. IF A MAN SAID, ‘I TAKE UPON MYSELF [TO OFFER A MEAL-OFFERING] PREPARED ON A GRIDDLE’, HE MUST NOT BRING ONE PREPARED IN A PAN; IF ‘IN A PAN’, HE MUST NOT BRING ONE PREPARED ON A GRIDDLE. WHAT IS THE DIFFERENCE BETWEEN A GRIDDLE [MAHABATH]¹ AND A PAN [MARHESHETH]²? THE PAN HAS A LID TO IT, BUT THE GRIDDLE HAS NO LID. SO R. JOSE THE GALILEAN. R. HANINA B. GAMALIEL SAYS, A PAN IS DEEP AND WHAT IS PREPARED THEREIN IS SPONGY,³ A GRIDDLE IS FLAT AND WHAT IS PREPARED THEREON IS HARD.

GEMARA. What is R. Jose's reason?⁴ Shall I say that marhesheth is so called because it is

offered for the stirrings of the heart,⁵ as it is written, My heart is stirred [rahash] by a goodly matter,⁶ and mahabath because it is offered for the pratings of the mouth,⁷ as people remark ‘He is prating’ [menabah nabuhe]⁸? But the reverse might just as well be said, namely, mahabath is so called because it is offered for the secrets of the heart, as it is written, Wherefore didst thou flee secretly [nahbetha],⁹ and marhesheth because it is offered for the whispering [of the lips], as people remark ‘His lips were whispering [merahshan]’!¹⁰ — We must say that it is established so by tradition.¹¹

R. HANINA B. GAMALIEL SAYS, etc. The pan is a deep vessel, for so it is written, And all that is prepared in the pan;¹² the griddle is flat, for so it is written, And on the griddle.¹² Our Rabbis taught: Beth Shammai say, If a man said, ‘I take upon myself [to offer] a marhesheth’,¹³ [the vow] must stand over until Elijah comes. They are in doubt as to whether [these terms]¹² refer to the vessel or to the pastry prepared therein. But Beth Hillel say, There was a vessel in the Temple called marhesheth, resembling a deep mould, which gave the dough that was put into it the shape of Cretan apples and Grecian nuts. Furthermore it is written, And all that is prepared in the pan and on the griddle;¹² we thus see that these terms refer to the vessels and not to the pastry prepared therein.

MISHNAH. [IF A MAN SAID,] ‘I TAKE UPON MYSELF [TO OFFER A MEAL-OFFERING BAKED] IN AN OVEN’, HE MUST NOT BRING WHAT IS BAKED IN A STOVE¹⁴ OR ON TILES OR IN THE FIREPLACE OF THE ARABS.¹⁵ R. JUDAH SAYS, IF HE SO WISHES HE MAY BRING WHAT IS BAKED IN A STOVE. [IF HE SAID,] I TAKE UPON MYSELF [TO OFFER] A BAKED MEAL-OFFERING’, HE MAY NOT BRING HALF IN CAKES AND HALF IN WAFERS.¹⁶ R. SIMEON PERMITS IT SINCE BOTH KINDS BELONG TO THE SAME OFFERING.

MENACHOS III – 59a-86a

GEMARA. Our Rabbis taught: Baked in the oven¹⁷ — but not baked in a stove or on tiles or in the fireplaces of the Arabs. R. Judah says, Oven¹⁸ is stated twice, in order to permit even what is baked in a stove. R. Simeon says, ‘Oven’ is stated twice, once to teach that it must be baked in an oven, and once that it is hallowed by the oven. But is R. Simeon of this view?¹⁹ Surely we have learnt:²⁰ R. Simeon says, Accustom thyself to say, The Two Loaves and the Showbread were valid whether made in the Temple court or in Beth Page!²¹ — Raba answered, Say rather, it should be consecrated for the oven.²²

[IF HE SAID,] ‘I TAKE UPON MYSELF [TO OFFER] A BAKED MEAL-OFFERING’, HE MAY NOT BRING HALF IN CAKES, etc. Our Rabbis taught: And when thou bringest,¹⁷ that is, when thou bringest, doing so as a matter of free choice. An offering of a meal-offering:¹⁷ R. Judah said, Whence do I know that if a man said, ‘I take upon myself [to offer] a baked meal-offering’, he may not bring half in cakes and half in wafers? Because the text states, ‘An offering of a meal-offering’: I spoke to thee of one offering but not of two or three offerings. Said to him R. Simeon,

- (1) מחבת.
- (2) מרחשת.
- (3) Heb. רוחשחן, from the root רחש, ‘to move’, ‘vibrate’. ‘Every thing that is soft and spongy, because of the liquid contained therein, appears as though it were creeping and moving’ (Rashi on Lev. II, 7).
- (4) For his view that the מרחשת, the pan, is covered with a lid and that the מחבת, the griddle, has no lid.
- (5) I.e., sinful thoughts which are covered and hidden from all; accordingly the offering must be prepared in a covered vessel.
- (6) Ps. XLV, 2. Heb. רחש which is also the root of מרחשת.
- (7) I.e., sinful talk, like slander; as it is spoken openly without concealment the offering too must be prepared in an open vessel without a cover.
- (8) מנעבי נבוחי, which words resemble מחבת. There are many variants of these words in MSS., v. Rabbinowicz, Dik. Sof. n. 90.

- (9) Gen. XXXI, 27. Heb. נחבאת which word resembles מחבת. Accordingly the מרחשת should be a covered vessel.
- (10) מרחשן which word resembles מרחשת. Accordingly the מרחשת should be an open vessel.
- (11) That the מרחשת is a covered vessel and the מחבת an open one.
- (12) Lev. VII, 9.
- (13) The expression used is ambiguous. He did not say ‘a meal-offering prepared in a marhesheth’; neither did he say ‘a marhesheth meal-offering’. By ‘marhesheth’ he might have meant to offer this kind of vessel to the Temple. (8) Marhesheth and Mahabath.
- (14) A small oven only large enough for one pot to be placed on it.
- (15) Improvised fireplaces of the Arabs, a cavity in the ground laid out with clay (Jast.).
- (16) For the baked meal-offering either ten cakes or ten wafers must be offered, but not, e.g., five of one kind and five of the other.
- (17) Lev. II, 4.
- (18) Ibid. and in VII, 9.
- (19) That the oven hallows the offering.
- (20) Infra 95b.
- (21) בית פאגי, a place outside the Temple court but within the walls of Jerusalem. V. infra 78b, P. 468, n. 6. Now if R. Simeon were of the opinion that the oven hallowed the offering, it would surely become invalid as soon as it was taken out of the Temple court! V. however, Tosaf. s.v. וכשרות, and Sh. Mek. n. 27.
- (22) I.e., when setting aside the flour for this meal-offering one should expressly state that it is to be baked in the oven.

Menachoth 63b

Is the term ‘offering’ stated twice in the verse?¹ ‘Offering’ is stated only once, and concerning it are mentioned cakes and wafers; so that if he so desires he may bring cakes or he may bring wafers or he may ‘bring half in cakes and half in wafers. He must mingle them [with oil] and the handful must be taken from the two [kinds].² If when taking the handful there came into his hand only one of the two [kinds], it is valid. R. Jose son of R. Judah says, Whence do I know that if a man said, ‘I take upon myself [to offer] a baked meal-offering’, he may not bring half in cakes and half in wafers? Because it is written, And every meal-offering that is baked in the oven, and every [meal-offering]

MENOCHOS III – 59a-86a

that is prepared in the pan, and on the griddle, shall be the priest's that offereth it. And every meal-offering mingled with oil or dry, shall all the sons of Aaron have.³ Just as the term 'every' in the latter cases refers to two distinct kinds,⁴ so the term 'every' in the former case refers to two distinct kinds.⁵ And what can R. Judah [say]?

R. Simeon is quite right in his argument!⁶ — [R. Judah] can reply, since the expression 'with oil'⁷ is stated twice in the verse it is as though the expression 'offering' had been repeated. And R. Simeon, [what would he say to this]? — Had not the expression 'with oil' been repeated I would have said that the offering must consist half of cakes and half of wafers, but not of cakes alone or of wafers alone; we are therefore taught [otherwise]. Is not the view of R. Jose son of R. Judah identical with that of his father? — There would be a difference between them in the case where one actually did so.⁸

CHAPTER VI⁹

MISHNAH. R. ISHMAEL SAYS, ON THE SABBATH¹⁰ THE OMER¹¹ WAS TAKEN OUT¹² OF THREE SE'AH¹³ [OF BARLEY], AND ON A WEEKDAY OUT OF FIVE. BUT THE SAGES SAY, WHETHER ON THE SABBATH OR ON A WEEKDAY IT WAS TAKEN OUT OF THREE SE'AH¹⁴. R. HANINA THE VICE-HIGH PRIEST¹⁴ SAYS, ON THE SABBATH IT WAS REAPED BY ONE MAN WITH ONE SICKLE INTO ONE BASKET, AND ON A WEEKDAY IT WAS REAPED BY THREE MEN INTO THREE BASKETS AND WITH THREE SICKLES. BUT THE SAGES SAY, WHETHER ON THE SABBATH OR ON A WEEKDAY IT WAS REAPED BY THREE MEN INTO THREE BASKETS AND WITH THREE SICKLES.¹⁵

GEMARA. The opinion of the Rabbis is quite clear, for they hold that a tenth of the finest [flour] can be obtained out of three se'ahs, and therefore it is all one whether it was a Sabbath or a weekday. But what can be the

opinion of R. Ishmael? If he holds that a tenth of the finest [flour] can be obtained only out of five se'ahs, then on a Sabbath too [five should be necessary]; and if it can be obtained out of three se'ahs then on a weekday too [three should be sufficient]! — Raba said, R. Ishmael is of the opinion that a tenth of the finest [flour] can be obtained out of five se'ahs without much labor, but with much labor out of three. On a weekday, therefore, it is taken out of five se'ahs, as this would give the best results;¹⁶ but on the Sabbath it is better that [the Sabbath be profaned] by one work, namely sifting, [being repeated many times,]¹⁷ rather than by many works [being performed once only].¹⁸

Rabbah said, R. Ishmael and R. Ishmael the son of R. Johanan b. Beroka both hold the same view. For it was taught: If the fourteenth of Nisan fell on a Sabbath, one should flay the Passover-offering only as far as the breast:¹⁹ such is the opinion of R. Ishmael the son of R. Johanan b. Beroka. But the Sages say, One should flay the whole of it. Now did not R. Ishmael the son of R. Johanan b. Beroka say there that where it is possible [to manage with a little] we must not trouble to do more on the Sabbath? Here, too, since it is possible [to manage with less] we must not trouble [to do more on the Sabbath]! Whence [do you know this]? Perhaps R. Ishmael only said so²⁰ here, since there is no disrespect to the offering, but there, since there is actual disrespect to the offering.²¹

- (1) To suggest that the cakes constitute a separate offering and the wafers a separate offering.
- (2) The cakes and the wafers must be crushed fine and mixed together, then mingled with oil, and the handful taken from the mixture which contains the two kinds.
- (3) Lev. VII, 9, 10.
- (4) Viz., the marhesheth meal-offering and the mahabath meal-offering in the one case, and the dry meal-offering and the meal-offering mingled with oil in, the other case. There is no doubt at all that part of the one kind of meal-offering cannot combine with part of the other to constitute a valid offering.

MENOSCHOS III – 59a-86a

(5) And the two kinds, cakes and wafers, cannot combine to constitute one offering.

(6) That the two kinds belong to the same offering since the term 'offering' is stated only once in the verse.

(7) Lev. II, 4.

(8) According to R. Jose son of R. Judah a baked meal-offering consisting partly of cakes and partly of wafers is absolutely invalid, just as the meal-offering would be invalid if brought partly dry and partly mingled with oil. According to the father, however, if a person brought cakes and wafers for his meal-offering it would be accepted as valid.

(9) In the separate editions of the Mishnah this chapter is inserted after chapter nine, which is indeed its proper place.

(10) I.e., if the second day of the Passover, which is the sixteenth day of Nisan, fell on a Sabbath. As the work in connection with the Omer involved the infringement of the laws of Sabbath, on the Sabbath therefore a smaller quantity of barley was used and fewer men employed.

(11) The tenth of an ephah of barley flour offered as a meal-offering. Cf. Lev. XXIII, 10ff.

(12) Lit., 'came'.

(13) Which amount to one ephah. This quantity was sifted again and again so as to produce the tenth of choicest flour.

(14) Segan, v. Sanh., Sonc. ed., p. 97, n. 1.

(15) In order to give the matter greater publicity. V. Gemara.

(16) Since only the choicest of each se'ah would be taken.

(17) In order to obtain the finest out of the smaller quantity of three se'ahs.

(18) Since the extra two se'ahs would entail the infringement of many acts of works on the Sabbath, such as reaping, winnowing, cleaning, grinding, etc.

(19) I.e., sufficient only to take out from the lamb the sacrificial portions. Since the rest of the saying is only for the purpose of preparing the meat for the table it must be left over till the evening.

(20) That no more than is absolutely necessary may be done on the Sabbath.

(21) By leaving the carcass of the offering, partly flayed, hanging on the hook the whole day until nightfall.

Menachoth 64a

I would say that he is in agreement with the Sages.¹ And, on the other hand, perhaps R. Ishmael the son of R. Johanan b. Beroka only said so there, since the requirements for the

Most — High have been fulfilled,² so that there is no further need to profane the Sabbath; but here, since the requirements for the Most High have not yet been fulfilled,³ so that there is a need to profane the Sabbath, I would say that he is in agreement with the Sages!⁴ —

Said Rabbah, R. Ishmael and R. Hanina the Vice-High Priest both hold the same view. For we have learnt: R. HANINA THE VICE-HIGH PRIEST SAYS, ON THE SABBATH IT WAS REAPED BY ONE MAN WITH ONE SICKLE INTO ONE BASKET, AND ON A WEEKDAY IT WAS REAPED BY THREE MEN INTO THREE BASKETS AND WITH THREE SICKLES. BUT THE SAGES SAY, WHETHER ON THE SABBATH OR ON A WEEKDAY IT WAS REAPED BY THREE MEN INTO THREE BASKETS AND WITH THREE SICKLES. Now did not R. Hanina the Vice-High Priest say there that where it is possible [to manage with one] we must not trouble [more to work on the Sabbath]? Here, too, since it is possible [to manage with less] we must not trouble [to do more on the Sabbath]. Whence [do you know this]?

Perhaps R. Ishmael only said so here, since there is no opportunity for making the matter public,⁵ but there, since there is an opportunity for making the matter public,⁶ I would say that he is in agreement with the Rabbis.⁷ And, on the other hand, perhaps R. Hanina the Vice-High Priest only said so there, for after all, whether one man or three are employed, the service to the Most High is performed according to its prescribed rites, but here, since the service to the Most High is not performed according to its prescribed rites,⁸ I would say that he is in agreement with the Sages!⁹ —

Rather. said R. Ashi, R. Ishmael and R. Jose both hold the same view. For we have learnt: Whether [the new moon] was clearly visible or not, they may profane the Sabbath

MENOSCHOS III – 59a-86a

because of it.¹⁰ But R. Jose says. If it was clearly visible they may not profane the Sabbath because of it.¹¹ Now did not R. Jose say there that wherever it is possible [to manage without them] we do not trouble [them to profane the Sabbath]? Here, too, since it is possible [to manage with less] we must not trouble [to do more on the Sabbath]. Whence [do you know this]?

Perhaps R. Ishmael only said so here, since the reason ‘it will result that you will prevent them from coming in the future’ does not apply, but there, since the reason ‘it will result that you will prevent them from coming in the future’¹² applies, I would say that he is in agreement with the Rabbis.¹³ And, on the other hand, perhaps R. Jose only said so there, since the matter in question is no service to the Most High,¹⁴ and moreover the Sabbath has not been overridden [by another service], but here, since it is a service to the Most High,¹⁵ and the Sabbath has already been overridden [by other acts of work].¹⁶ I would say that he is in agreement with the Rabbis. It was stated: If a man slaughtered [on the Sabbath] two sin-offerings for the community when only one was necessary, Rabbah (others say. R. Ammi) said, He is liable¹⁷ for the slaughtering of the second but not for the first, even though atonement was effected through the second offering.¹⁸ and even though the first proved to be a lean animal.¹⁹ But could Rabbah have really said so?

Surely Rabbah has said, If a man had before him [on the Sabbath] two sin-offerings [for the community],²⁰ one beast being fat and the other lean, and he first slaughtered the fat beast and then the lean one, he is liable; if he first slaughtered the lean beast and then the fat one, he is not liable; and not only that but we even bid him [after he has slaughtered the lean one]. Go at once and fetch a fat one and slaughter it!²¹ — If you wish, you can say, Strike out the clause about the lean beast in the first statement; or if you prefer you may

say, That first statement was taught by R. Ammi. Rabina asked R. Ashi, What is the law if the first beast was found [after the slaughtering of the second] to be lean in its entrails?²² Are we to decide the issue by his intention and this man certainly intended to do what was forbidden, or by his actual deed? —

He replied; Is this not the case agreed upon by Rabbah and Raba? For it was stated: If a man heard that a child had fallen into the sea and he spread nets [on the Sabbath] to catch fish²³ and he caught fish, he is liable. If he spread nets to catch fish and he caught fish and also the child, Rabbah says, He is not liable; but Raba says, He is liable. Now only in that case says Rabbah that he is not liable, for since he heard [of this accident], we say that his intention was also concerning the child; but where he did not hear of it [Rabbah] would not [say that he was not liable].²⁴ Others say that he²⁵ answered him as follows: This is a matter of dispute between Rabbah and Raba. For it was stated: If a man had not heard that a child had fallen into the sea and he spread a net [on the Sabbath] to catch fish and he caught fish, he is liable. If he spread the net to catch fish and he caught fish and also the child, Rabbah says, He is not liable; but Raba says, He is liable. ‘Rabbah says, He is not liable’ because we decide the matter by his actual deed. ‘Raba says, He is liable’ because we decide the matter by his intention.

Rabbah said, If one fig was prescribed for a sick person²⁶ and ten men ran²⁷ and returned together bringing ten figs, they are all not liable, and [it is the same] even if they brought them one after the other, and even if the sick person had recovered after he had taken the first one. Raba raised this question. If two figs were prescribed for a sick person and there happened to be two figs on two stalks²⁸ and also three figs on one stalk, which are we to bring? Should we bring the two figs as they only are required, or the

MENACHOS III – 59a-86a

three, for then there is less plucking? — Surely it is obvious that we should bring the three figs [on the one stalk].

- (1) That the whole must be flayed.
- (2) By the removal and offering of the sacrificial portions.
- (3) For it is more commendable to derive the tenth from a larger quantity, thereby obtaining the choicest.
- (4) That in regard to the 'Omer there is no distinction between the Sabbath and a weekday. But the Sages are satisfied that the choicest is obtainable even out of three se'ahs.
- (5) For whether the 'Omer is obtained out of five or three se'ahs the people will learn nothing of importance thereby.
- (6) The employment of more persons in the service of the 'Omer obviously gives the matter greater publicity and impresses immediately the mind of the people with the Rabbinic standpoint that the 'Omer must be offered on the second day of the Passover irrespective of the day of the week, thus creating stronger opposition to the Sadducees who held that the 'Omer must always be offered on a Sunday; v. infra 65a.
- (7) That although one person would be sufficient three are to be employed to create greater publicity.
- (8) For according to R. Ishmael the 'Omer must be taken out of five se'ahs and not three in order to obtain the choicest flour.
- (9) V. supra n.1.
- (10) Any who saw the new moon may transgress the Sabbath limits to go and give evidence before the court of the appearance of the new moon. As the calendar was not fixed the evidence of witnesses was a matter of the greatest importance for the determination of the dates of the Festivals.
- (11) As it is most probable that the members of the court themselves had also seen the appearance of the new moon, so that it would be unnecessary for any to profane the Sabbath for this purpose; R.H. 21b.
- (12) For even when the new moon was not clearly visible to all, those who did see it might refrain from going to give their evidence believing that they were not justified in profaning the Sabbath on its account as others too might have seen the appearance of the new moon like themselves.
- (13) That whatever the circumstances people should be encouraged to go and give their evidence.
- (14) For it is no offering, neither is it an important need of the community since the new moon was seen clearly everywhere.
- (15) To offer the choicest of five se'ahs.

(16) Viz., the reaping, winnowing, etc. of the three se'ahs.

(17) Since he acted in error, believing that he may slaughter any number of beasts on the Sabbath for the community, he is liable to bring a sin-offering.

(18) E.g., where the blood of the first beast was poured away after the second had been slaughtered, so that it was necessary in the end to use the blood of the second beast. In this case therefore it might be said that the slaughterer was not liable since in fact two beasts were necessary. On the other hand, when he slaughtered the second beast he had no reason to believe that the first would be unfit.

(19) Before the slaughtering of the second beast. It is a meritorious act to offer for a sacrifice a fine beast; cf. Mal. I, 8.

(20) And only one sin-offering was necessary.

(21) Thus contradicting Rabbah's previous statement that he is liable for slaughtering the fat beast after the lean one.

(22) When slaughtering the second beast he had no knowledge that the entrails of the first beast were lean and not fit to be offered, consequently the slaughtering of the second beast was undoubtedly a forbidden act. On the other hand, it might be said that he is not liable, since it was proved in the end that it was right to have slaughtered the second beast.

(23) An act forbidden on the Sabbath.

(24) And, therefore, in the case stated by Rabina, since he did not know of the unfitness of the first beast when he slaughtered the second, he is certainly liable according to all views.

(25) R. Ashi.

(26) For a sick person not only is it permitted to profane the Sabbath but it is even a meritorious act to do so.

(27) And profaned the Sabbath by plucking the figs.

(28) The stalks in either case were attached to the tree so that in any event it was necessary to transgress the Sabbath by breaking off the stalks from the tree. In the one case, however, two stalks would have to be broken off, whilst in the other case only one.

Menachoth 64b

for even R. Ishmael only said so¹ in that case, since the less one uses² the less one reaps, but in this case, where the less one uses the more one has to pluck,³ we should certainly bring the three [figs].

MENOCHOS III – 59a-86a

MISHNAH. THE PRECEPT OF THE ‘OMER IS THAT IT SHOULD BE BROUGHT FROM [WHAT GROWS] NEAR BY. IF [THE CROP] NEAR JERUSALEM WAS NOT YET RIPE, IT COULD BE BROUGHT FROM ANY PLACE. IT ONCE HAPPENED THAT THE OMER WAS BROUGHT FROM GAGGOTH ZERIFIN⁴ AND THE TWO LOAVES FROM THE PLAIN OF EN SOKER.⁴

GEMARA. Why is this So?⁵ — If you wish. I may say, Because it is written, Fresh corn shalt thou bring;⁶ or if you wish, I may say, Because of the rule ‘One must not pass over [the first occasion for performing] the precept’.⁷

IT ONCE HAPPENED THAT THE ‘OMER WAS BROUGHT FROM GAGGOTH ZERIFIN. Our Rabbis taught: When the Kings of the Hasmonean house fought one another,⁸ Hyrcanus was outside and Aristobulus within [the city wall]. Each day [those that were within] used to let down [to the other party] denars in a basket, and haul up [in return] animals for the Daily Offerings. An old man there, who was learned in Greek wisdom, spoke with them in Greek wisdom,⁹ saying. ‘As long as they carry on the Temple service they will never be delivered into your hands’. On the morrow they let down denars in a basket and hauled up a pig. When it reached halfway up the wall, it stuck its claws into the wall, and the land of Israel was shaken over a distance of four hundred parasangs by four hundred parasangs. At that time they declared, ‘Cursed be the man who rears pigs and cursed be the man who teaches his son Greek wisdom!’

It was concerning this time [of siege] that we learnt: IT ONCE HAPPENED THAT THE ‘OMER WAS BROUGHT FROM GAGGOTH ZERIFIN AND THE TWO LOAVES FROM THE PLAIN OF EN SOKER. For when the time for the ‘Omer arrived they did not know from whence they

could take it.¹⁰ They at once proclaimed the matter, whereupon a deaf-mute came forward and pointed¹¹ with one hand to the roof and with the other to a cone-shaped hut. Then spake Mordecai,¹² ‘Is there anywhere a place by name Gaggoth Zerifin¹³ or Zerifin Gaggoth?’ Thereupon they searched and found the place. When they should have brought the Two Loaves they did not know from whence they could take it. They at once proclaimed the matter, whereupon a deaf-mute came forward and put one hand on his eye and the other hand on the socket of the bolt. Then spake Mordecai,¹² ‘Is there anywhere a place by name En Soker¹⁴ or Soker En?’ Thereupon they searched and found the place.

Once three women brought three pairs of doves to the Temple. One said, ‘It is for my zibah’; the other said, ‘It is for my yammah’; and the third said, ‘It is for my ‘onah’. Now they [the priests] thought that by zibah¹⁵ [the woman] actually meant her flux, by yammah¹⁶ her stream, and by ‘onah¹⁷ her period, and therefore of each pair of doves, one bird was to be offered for a sin-offering and the other for a burnt-offering.¹⁸ Then spake Mordecai, ‘Perhaps the one had been in danger by reason of her flux, the other had been in danger by reason of a sea journey,¹⁹ and the third had been in danger by an infection of the eye,²⁰ and therefore all the doves were to be offered for burnt-offerings!’²¹ Thereupon they enquired into the matter and found that it was so.

(1) That on the Sabbath one must reap less for the ‘Omer.

(2) Lit., ‘eats’.

(3) For to obtain the two figs one must break off two stalks.

(4) These places are identified respectively with Sarafand near Lydda and Assaker near Nablus. V. Neub. Geog. pp. 81, 170.

(5) That the ‘Omer must be brought from barley growing near Jerusalem.

(6) Lev. II, 14. If the barley were brought from a distance it would lose its freshness on the way and would not be fit.

MENACHOS III – 59a-86a

(7) And therefore the crops found growing outside Jerusalem should be used for the religious purpose.

(8) V. parallel passages in B.K. 82b (Sonc. ed. p. 469. and notes) and Sot. 49b (Sonc. ed. p. 268, and notes). V. also Graetz, Geschichte III, pp. 710ff on this passage.

(9) This old man was in Jerusalem and addressed his words of betrayal to the besiegers outside. ‘Greek wisdom’, according to Rashi means ‘gestures and signs’, but most probably it means the Greek language which was not understood by the people in the city.

(10) This was due to the devastation of the land round about Jerusalem by the hostile forces.

(11) Lit., ‘put’.

(12) A high Temple official who on account of his sagacity bore the name of Mordecai (Tosaf.). V. infra.

(13) A place-name whose literal meaning is ‘roofs, cone-shaped huts’.

(14) A place-name whose literal meaning is ‘eye, the socket of the bolt’.

(15) זיבה the usual term for an issue or flux. This woman had apparently suffered from an issue and now being cleansed was offering a pair of doves as her prescribed sacrifice. V. Lev. XV, 25ff.

(16) ימה an excessive flux, from ים ‘the sea’. Here, too, the doves were offered on her being cleansed of her issue.

(17) עינה ‘period’. The period of her seven clean days having been fulfilled she now offers a pair of doves as her prescribed sacrifice; v. ibid. 28, 29.

(18) Cf. ibid. 30.

(19) Taking ימה in its usual meaning ‘the sea’.

(20) עינה is thus interpreted as עינה ‘her eye’.

(21) For they were no doubt brought as freewill-offerings or in fulfillment of vows which the women vowed to bring on their delivery out of danger. In these circumstances the offerings were to be dealt with as burnt-offerings.

Menachoth 65a

This is indeed what we have learnt: Petahiah was over the bird-offerings.¹ This same Petahiah was Mordecai; why was his name called Petahiah?² Because he was able to open matters and interpret them,³ and he knew seventy languages.³ But did not every member of the Sanhedrin know seventy languages? For R. Johanan said, None are to be appointed members of the Sanhedrin but men of wisdom, of good appearance, of fine stature, of mature age. men with a knowledge of sorcery and who know seventy languages,

in order that the court should have no need of an interpreter!⁴ — Say, rather, that he used to mix together⁵ expressions and explain them; and on that account it is written of Mordecai ‘Bilshan’.⁶

MISHNAH. WHAT WAS THE PROCEDURE? THE MESSENGERS OF THE BETH DIN USED TO GO OUT ON THE DAY BEFORE THE FESTIVAL AND TIE THE UNREAPED CORN IN BUNCHES TO MAKE IT THE EASIER TO REAP. ALL THE INHABITANTS OF THE TOWNS NEAR BY ASSEMBLED THERE,⁷ SO THAT IT MIGHT BE REAPED WITH MUCH DISPLAY. AS SOON AS IT BECAME DARK HE⁸ CALLED OUT, ‘HAS THE SUN SET’?

AND THEY ANSWERED, ‘YES.’ HAS THE SUN SET’? AND THEY ANSWERED, ‘YES.’ WITH THIS SICKLE’?⁹

AND THEY ANSWERED, ‘YES’. ‘WITH THIS SICKLE’? AND THEY ANSWERED, YES’. ‘INTO THIS BASKET’?

AND THEY ANSWERED, ‘YES’. INTO THIS BASKET’? AND THEY ANSWERED, ‘YES’. ON THE SABBATH HE CALLED OUT FURTHER, ON THIS SABBATH’?

AND THEY ANSWERED, ‘YES’. ‘ON THIS SABBATH’? AND THEY ANSWERED, ‘YES’. ‘SHALL I REAP’?¹⁰

AND THEY ANSWERED, REAP’. ‘SHALL I REAP’?

AND THEY ANSWERED, ‘REAP’. HE REPEATED EVERY MATTER THREE TIMES, AND THEY ANSWERED, ‘YES.’ ‘YES.’ ‘YES’. AND WHY WAS ALL THIS? BECAUSE OF THE BOETHUSIANS¹¹ WHO MAINTAINED THAT THE REAPING OF THE ‘OMER WAS NOT TO TAKE PLACE AT THE CONCLUSION OF THE [FIRST DAY OF THE] FESTIVAL.

GEMARA. Our Rabbis taught:¹² ‘On the following days fasting, and on some of them

MENACHOS III – 59a-86a

also mourning, is forbidden: From the first until the eighth day of the month of Nisan, during which time the Daily Offering was established, mourning is forbidden;¹³ from the eighth of the same until the close of the Festival, during which time the date for the Feast of Weeks was re-established, fasting is forbidden.¹⁴ 'From the first until the eighth day of the month of Nisan, during which time the Daily Offering was established, mourning is forbidden'. For the Sadducees used to say that an individual may of his own free will defray the cost¹⁵ of the Daily Offering. What was their argument? —

It is written, [said they]. The one lamb shalt thou offer in the morning and the other lamb shalt thou offer at dusk.¹⁶ And what was the reply [of the Rabbis]? —

It is written, My food which is presented unto Me for offerings made by fire, of a sweet savor unto Me, shall ye observe.¹⁷ Hence all sacrifices were to be taken out of the Temple fund.¹⁸ 'From the eighth of the same until the close of the Festival [of Passover], during which time the date for the Feast of Weeks was re-established, fasting is forbidden'. For the Boethusians held that the Feast of Weeks¹⁹ must always be on the day after the Sabbath.²⁰ But R. Johanan b. Zakkai entered into discussion with them saying, 'Fools that you are! whence do you derive it'? Not one of them was able to answer him, save one old man who commenced to babble and said, 'Moses our teacher was a great lover of Israel, and knowing full well that the Feast of Weeks lasted only one day he therefore fixed it on the day after the Sabbath so that Israel might enjoy themselves for two successive days'. [R. Johanan b. Zakkai] then quoted to him the following verse, 'It is eleven days' journey from Horeb unto Kadesh-Barnea by the way of mount Seir.²¹

(1) He was the officer in charge of the chest inscribed 'Bird-offerings' in the Temple. As the bird-offerings gave rise to complicated problems

(v. Tractate Kinnim) he was chosen for his sagacity and profound understanding.

(2) The literal meaning of this name is 'The Lord has opened'.

(3) V. Shek., Sonc. ed., p. 18 notes.

(4) V. Sanh., Sonc. ed., p. 87.

(5) I.e., transfer the meanings of expressions from one sense to another; cf. supra in connection with Gaggoth Zerifin.

(6) Neh. VII, 7. The name בלשן is regarded as made up of בלל to mix, and לשן expression.

(7) On the night after the first day of the Passover.

(8) The reaper to the people assembled.

(9) I.e., shall I reap the corn with this sickle and into this basket?

(10) On the Sabbath.

(11) A sect in opposition to the Pharisees and often regarded as synonymous with the Sadducees. They held that the expression (Lev. XXIII, 11), ממחרת השבת, 'the morrow after the Sabbath', must be taken in its literal sense, the day following the first Saturday in Passover. The Pharisees, however, argued that the Sabbath meant here 'the day of cessation from work', i.e., the Festival of Passover. Accordingly the 'Omer was to be offered on the second day of the Festival, and the reaping of the corn on the night preceding, at the conclusion of the first day of the Festival.

(12) V. Megillath Ta'anith, I.

(13) And needless to say that fasting is forbidden. V. Tosaf. s.v. אילין

(14) But mourning is permitted. So according to Rashi, Sh. Mek. and most MSS. In cur. ed. 'mourning is forbidden'. V. Tosaf. s.v. מריש. Cf. also Ta'anith 17b.

(15) Lit., 'may offer and bring'.

(16) Num. XXVIII, 4. The precept is stated in the singular, directed to the individual.

(17) Ibid. 2. The use of the pronoun 'ye' clearly imposes the obligation upon the community.

(18) Lit., 'the offering of the Chamber'.

(19) Azereth, lit., 'the closing'; the Feast of Weeks being regarded as the closing festival to Passover.

(20) I.e., on a Sunday, at the completion of seven full weeks from the offering of the 'Omer which, according to them, was offered on a Sunday.

(21) Deut. I, 2.

Menachoth 65b

If Moses was a great lover of Israel, why then did he detain them in the wilderness for forty years'? 'Master', said the other, 'is it thus that you would dismiss me'? 'Fool', he answered, 'should not our perfect Torah be as convincing as your idle talk! Now one

MENOCHOS III – 59a-86a

verse says. Ye shall number fifty days.¹ while the other verse says, Seven weeks shall there be complete.² How are they to be reconciled?³ The latter verse refers to the time when the [first day of the] Festival [of Passover] falls on the Sabbath,⁴ while the former to the time when the [first day of the] Festival falls on a weekday.⁵

(Mnemonic: *R. Eliezer 'numbers'; R. Joshua 'counts'; R. Ishmael 'from the 'Omer'; R. Judah 'below'.*)⁶

R. Eliezer says, This is not necessary, for Scripture says, Thou shalt number unto thee,⁷ that is, the numbering depends upon the [decision of the] Beth din;⁸ accordingly the Sabbath of the creation cannot be intended,⁹ as the numbering would then be in the hands of all men.¹⁰ R. Joshua says. The Torah says. Count days¹¹ and sanctify the new moon,¹² count days and sanctify the Feast of Weeks.¹³ Just as in regard to the new moon there is something distinctive at the commencement [of the counting],¹⁴ so with the Feast of Weeks there is something distinctive at the commencement [of the counting].¹⁵

R. Ishmael says. The Torah says. Bring the 'Omer-offering on the Passover, and the Two Loaves on the Feast of Weeks. Just as the latter are offered on the Festival, and indeed at the beginning of the Festival, so the former, too. Is offered on the Festival, and indeed at the beginning of the Festival.¹⁶ R. Judah b. Bathyra says. There is written 'Sabbath' below¹⁷ and also 'Sabbath' above;¹⁷ just as in the former case the Festival, and indeed the beginning of the Festival, is near [to the Sabbath].¹⁸ so in the latter case, too, the Festival, and indeed the beginning of the Festival, is near [to the 'Omer].¹⁹

Our Rabbis taught: And ye shall count unto you.²⁰ that is, the counting is a duty upon every one. On the morrow after the

Sabbath,²⁰ that is, on the morrow after the Festival. Perhaps it is not so but rather on the morrow after the Sabbath of Creation. R. Jose b. Judah says, Scripture says, Ye shall number fifty days,²¹ that is, every time that you number it shall not be more than fifty days. But should you say that the verse refers to the morrow after the Sabbath of Creation, then it might sometimes come to fifty-one and sometimes to fifty-two and fifty-three and fifty-four and fifty-five and fifty-six.²² R. Judah b. Bathyra says. This is not necessary.

(1) Lev. XXIII, 16.

(2) Ibid. 15.

(3) For the former verse speaks of counting fifty days irrespective of the completeness of the weeks, whereas the latter verse speaks of seven weeks complete, by which it is understood full weeks each commencing on a Sunday.

(4) In this case there are seven complete weeks.

(5) It is evident therefore that the Feast of Weeks may fall on any day of the week and not only on Sunday. On the motives underlying this controversy v. Lichtenstein HUCA VIII-IX. pp. 276ff and Finkelstein, *The Pharisees*, I. p. 115ff.

(6) And aid for remembering the various proofs adduced by the Rabbis mentioned.

(7) Deut. XVI, 9.

(8) For inasmuch as the Beth din fixed the date of the Festivals, it is left to them to inform the community the time from which to commence counting the days of the 'Omer. Cur. edd. insert here the following gloss: For they know to interpret 'the morrow after the Sabbath' as the morrow after the Festival.

(9) In the expression 'the morrow after the Sabbath'.

(10) Obviously no guidance would be necessary were the counting always to commence on the Sunday, after the Sabbath of Creation, i.e., the ordinary Sabbath of the week.

(11) Cf. the expression 'a month of days', Num. XI, 20.

(12) I.e., after counting twenty-nine days the thirtieth day should be sanctified as the new moon.

(13) Lev. XXIII, 15,16.

(14) Namely the new moon, for the twenty-nine days are counted from the first day of the new month.

(15) Namely the Festival of Passover. Now if the counting always commenced on Sunday, this distinctiveness would not always be evident, for sometimes the counting might commence on the

MENACHOS III – 59a-86a

seventeenth day of Nisan, and sometimes on the eighteenth, or on the nineteenth of that month. V. Tosaf. s.v. שִׁבְעָה הַיָּמִים. Cur. edd. insert here the gloss: And should you say that the Feast of Weeks always falls on the day after Sabbath, how would there be anything distinctive at its commencement?

(16) Save that in order to fulfill the expression ‘on the morrow after the Sabbath’ it must be offered on the second day of the Festival. If, however, it was to be offered always on a Sunday it might happen sometimes that it is offered at the end of the Festival; v. prev. note.

(17) Below, in respect of the Feast of Weeks, unto the morrow of the seventh Sabbath, Lev. XXIII, 16; and above, in respect of the ‘Omer, On the morrow after the Sabbath, *ibid.* 11.

(18) Since the Festival follows immediately the ‘Sabbath’. Here, of course, the word Sabbath signifies ‘week’, as the Festival must be at the end of seven complete Sabbaths or weeks.

(19) Thus the Festival of Passover is to immediately precede the ‘Omer; accordingly ‘Sabbath’ clearly means the Festival.

(20) Lev. XXIII, 15.

(21) *Ibid.* 16.

(22) Just as in that year when the Passover falls on a Sabbath and the counting, according to all views, begins on the Sunday, only fifty days are numbered from the second day of the Festival, so also in the other years when the Festival falls on a weekday only fifty days are to be numbered from the second day of the Festival. Now if it is held that the numbering must always begin on a Sunday, then as compared with the former year, the number of days from the second day of the Festival would be fifty-one, if the Festival fell on a Friday, or fifty-two if it fell on a Thursday, and so on.

Menachoth 66a

for Scripture says, Thou shalt number unto thee,¹ that is, the numbering depends upon [the decision of] the Beth-din; accordingly the Sabbath of the Creation cannot be intended as the numbering would then be in the hands of all men.² R. Jose says. On the morrow after the Sabbath means on the morrow after the Festival. You say that it means on the morrow after the Festival, but perhaps it is not so, but rather on the morrow after the Sabbath of Creation! I will prove it to you. Does Scripture say, ‘On the morrow after the Sabbath that is in the Passover week’? It

merely says, ‘On the morrow after the Sabbath’; and as the year is full of Sabbaths, then go and find out which Sabbath is meant.³ Moreover, ‘Sabbath’ is written below,⁴ and ‘Sabbath’ is written above; just as in the former case it refers to the Festival, and indeed to the beginning of the Festival, so in the latter case, too, it refers to the Festival, and indeed to the beginning of the Festival.⁴

R. Simeon b. Eleazar says, One verse says. Six days thou shalt eat unleavened bread,⁵ whereas another verse says, Seven days shall ye eat unleavened bread.⁶ How are they to be reconciled?’ [In this way:] you may not eat unleavened bread of the new produce the seven days. but you may eat unleavened bread of the new produce six days.⁷ From the day that ye brought [the ‘Omer of the waving]...shall ye number:⁸ now I might think that the ‘Omer must be reaped and offered [on the day stated], but the counting may begin whenever one wishes,⁹ the text therefore also states, From the time the sickle is first put to the standing corn thou shalt begin to number.¹⁰ But from [this verse], ‘From the time the sickle is first put to the standing corn thou shalt begin to number’, I might think that the ‘Omer must be reaped and then one begins to count, but it is to be offered whenever one wishes, the text therefore states, From the day that ye brought [the ‘Omer...shall ye number].¹¹ But from [this verse], ‘From the day that ye brought’, I might think that it must be reaped and offered and the counting begun all by day, the text therefore states ‘Seven weeks shall there be complete;¹² and when do you find seven weeks complete? Only when you begin to count from the [previous] evening.¹³ I might think, then, that it must be reaped and offered and the counting begun all by night, the text therefore, states, ‘From the day that ye brought’. How is it to be then? The reaping and the counting must be on the [previous] night, but the bringing on the [following] day.¹⁴

MENOSCHOS III – 59a-86a

Said Raba: All the above interpretations can be refuted, excepting those of the last two Tannaim of the first Baraitha and of the last two Tannaim of the second Baraitha,¹⁵ which cannot be refuted, If [it were to be derived from] R. Johanan b. Zakkai's interpretation it can be refuted thus: Perhaps [the explanation of the conflicting verses is] as given by Abaye; for Abaye said, It is the precept to count the days and also the weeks.¹⁶ If from R. Eliezer's and R. Joshua's interpretations it can be refuted thus: How do they know that it¹⁷ refers to the first day of the Festival? It may refer to the last day of the Festival! R. Ishmael's and R. Judah b. Bathyra's interpretations cannot be refuted. If from R. Jose son of R. Judah's interpretation it can be refuted thus: Perhaps the fifty days excludes those six days!¹⁸ If from R. Judah b. Bathyra's interpretation¹⁹ it can be refuted thus: How does he know that it¹⁷ means 'the first day of the Festival? Perhaps it means the last day of the Festival! R. Jose also realized this same difficulty, and he therefore added the second interpretation 'Moreover. The [above] text [stated]: Abaye said, It is the precept to count the days and also to count the weeks. The Rabbis of the school of R. Ashi used to count the days as well as the weeks. Amemar used to count the days but not the weeks, saying, It is only in commemoration of Temple times.²⁰

MISHNAH. THEY REAPED IT, PUT IT INTO THE BASKETS, AND BROUGHT IT TO THE TEMPLE COURT; THEN THEY PARCHED IT²¹ WITH FIRE IN ORDER TO FULFIL THE PRECEPT THAT IT SHOULD BE PARCHED [WITH FIRE].²² SO R. MEIR. BUT THE SAGES SAY, THEY FIRST BEAT IT WITH REEDS OR STEMS OF PLANTS THAT THE GRAINS SHOULD NOT BE CRUSHED,²³ AND THEN THEY PUT IT INTO A PIPE THAT WAS PERFORATED SO THAT THE FIRE MIGHT TAKE HOLD OF ALL OF IT. THEY SPREAD IT OUT IN THE TEMPLE COURT SO THAT THE WIND MIGHT BLOW OVER IT.²⁴ THEN THEY PUT IT INTO A GRISTMILL²⁵ AND

TOOK OUT OF IT A TENTH [OF AN EPHAH OF FLOUR] WHICH WAS SIFTED THROUGH THIRTEEN SIEVES. WHAT WAS LEFT OVER WAS REDEEMED AND MIGHT BE EATEN BY ANY ONE; IT WAS LIABLE TO THE DOUGH-OFFERING²⁶ BUT EXEMPT FROM TITHES.²⁷ R. AKIBA DECLARES IT LIABLE BOTH TO THE DOUGH-OFFERING AND TO TITHES.

GEMARA. Our Rabbis taught: 'Abib':²⁸ this signifies fresh ears of corn; 'parched with fire': this teaches us that Israel used to parch it with fire in order to fulfill the precept 'parched'. So R. Meir. But the Sages say,

- (1) Deut. XVI,9.
- (2) V. supra p. 386. n. 8.
- (3) Obviously then 'the Sabbath' means the Festival.
- (4) V. supra p. 387 nn. 2,3 and 4.
- (5) Ibid. 8.
- (6) Ex. XII, 15.
- (7) For after the offering of the 'Omer, on the second day of the Festival, there are left six days of the Festival on which one may eat unleavened bread of the new produce; thus the verses are reconciled. If, however, the 'Omer was always to be offered on a Sunday, then it would frequently happen that there would be less than six days from the offering of the 'Omer to the end of the Festival.
- (8) Lev. XXIII, 15, 16.
- (9) On any day after the bringing of the 'Omer.
- (10) Deut. XVI, 9. From this verse it appears that the counting must begin immediately after the reaping and apparently even before the offering of the 'Omer.
- (11) We thus learn that the reaping and the offering of the 'Omer and the commencement of the counting must all take place on the same day.
- (12) Lev. XXIII, 15.
- (13) Since the complete day consists of the day and the preceding night.
- (14) And it is arrived at in this way: the reaping must clearly be before the counting, since it is written, 'From the time that the sickle is put to the standing corn thou shalt begin to number'; and the counting must be at night because of the verse which says, 'Seven weeks shall there be complete'. The counting, however, precedes the bringing of the 'Omer, the verse 'From the day that ye brought the 'Omer shall ye number' notwithstanding, as this verse does necessarily indicate precedence but rather that both shall take place on the same day.

MENACHOS III – 59a-86a

(15) I.e., R. Jose in his second interpretation and R. Simeon b. Eleazar.

(16) Cf. P.B. p. 270ff. This is established by Abaye from the fact that one verse speaks of counting the days and the other of counting the weeks.

(17) The expression 'Sabbath'. Granted that it cannot mean the ordinary Sabbath of the week, it may mean nevertheless the last day, and not necessarily the first day, of the Festival.

(18) For it might be said that the counting of the fifty days is to commence from the first Sunday in the Passover festival, exclusive of the six (or less) intervening days between the second day of the Festival and the Sunday.

(19) In the second Baraitha.

(20) He maintains that after the destruction of the Temple, when the 'Omer is no longer offered, the counting is no absolute obligation; hence it is sufficient if only the days are counted.

(21) The whole ears of corn.

(22) Lev. II, 14.

(23) It was not threshed in the usual manner with flails as these would bruise the fresh and tender corn.

(24) In order to dry it.

(25) Which grinds very coarsely so that only the husk is separated from the grain.

(26) Cf. Num. XV, 18ff. Since at the time when dough becomes liable to the dough-offering, i.e. at the rolling out of the dough, it is no longer consecrated, it is therefore liable to the dough-offering.

(27) Since the obligation of tithes falls due at the last work in connection with the corn (i.e. the smoothing of the pile), and at that time the corn was still consecrated, it is therefore exempt from tithes.

(28) 'Corn in the ear'. Lev. II, 14.

Menachoth 66b

By koli¹ we do not mean [what is parched] over the fire but [what is parched] with something [intervening between the fire and the grain]. (Another version reads: By koli we understand what is parched in a vessel.)² How was it done then? There was there [in the Temple] a pipe for parching corn which was perforated like a sieve so that the fire might take hold of it on all sides. Corn in the ear, parched...crushed: now I know not whether the fresh ears of corn must be parched or the crushed grain must be parched;³ but when the verse says '[parched] with fire', it thus interrupts the subject.⁴

Karmel [fresh corn] means, rak [tender] and mal [easily crushed].⁵ In like manners [we interpret the word in the following] verse: And there came a man from Baal-shalishah, and brought the man of God bread of the first-fruits, twenty loaves of barley, and fresh corn beziklono. And he said, Give unto the people that they may eat.⁷ [Beziklono means]: He came and poured out for us, and we ate, and it was fine. And so, too, [when it says, Let us solace ourselves [nith'alsah] with loves,⁸ [nith'alsah means:] Let us talk together and then let us go up [on the couch] and rejoice and revel in caresses. And so, too, [when] it says, The wing of the ostrich [ne'elasah] beateth joyously,⁹ [ne'elasah means:] It carries [the egg], flies upwards [with it] and deposits it [in the nest]. And so, too, [when] it says, Because thy way is contrary [yarat] unto me,¹⁰ [yarat means:] She [the ass] feared when she saw [the angel] and she turned aside. In the school of R. Ishmael it was taught: Karmel means, kar [rounded, and male [full]].¹¹

R. AKIBA DECLARES IT LIABLE BOTH TO THE DOUGH-OFFERING AND TO TITHES. R. Kahana said, R. Akiba used to say that the smoothing of the pile of [corn belonging at the time to] the Temple does not exempt it [from tithes].¹²

R. Shesheth raised the following objection: What did they do with what remained of those three se'ahs?¹³ It was redeemed and could be eaten by any one; it was liable to the dough-offering but exempt from tithes. R. Akiba declares it liable both to the dough-offering and to tithes. But [the Sages] said to him, Let what is redeemed from the hand of the Temple treasurer prove the case,¹⁴ for that is liable to the dough-offering yet is exempt from tithes. Now if it is right to say, [R. Akiba holds the view that] the smoothing of the pile of [corn belonging to] the Temple does not exempt [from tithes], then what was the point of their argument, it is just the same case?¹⁵

MENOSCHOS III – 59a-86a

Furthermore, R. Kahana b. Tahlifa raised an objection against R. Kahana's statement [from the following Baraita]: R. Akiba declares it liable both to the dough-offering and tithes, for Temple money was only used for what was necessary!¹⁶ — Rather, said R. Johanan, it is an accepted teaching in the mouth of R. Akiba that Temple money was only used for what was necessary.¹⁷

Raba said, I am quite certain that the smoothing of the pile of [corn belonging at the time to] the Temple exempts it [from tithes], for even R. Akiba only declares it liable [to tithes] in that case alone, since Temple money was only used for what was necessary, but elsewhere [all agree that] the smoothing of the pile of [corn belonging to] the Temple exempts from tithes. With regard to the smoothing of the pile of [corn belonging at the time to] a gentile there is a difference of opinion between Tannaim. For it was taught: One may give terumah from produce bought from an Israelite for other produce also bought from an Israelite, and from produce bought from a gentile for other produce also bought from a gentile,¹⁸ and from produce bought from a Cuthean¹⁹ for other produce also bought from a Cuthean, and from produce bought from any one of these for other produce also bought from any one of these.²⁰ So R. Meir and R. Judah. But R. Jose and R. Simeon say, One may give terumah from produce bought from an Israelite for other produce also bought from an Israelite, and from produce bought from a gentile for other produce bought from a gentile, and from produce bought from a Cuthean for other produce bought from a gentile, but one may not give terumah from produce bought from an Israelite for other produce bought from a gentile or a Cuthean, nor from produce bought from a gentile or a Cuthean for other produce bought from an Israelite.²¹

(1) Heb. קלי. The reference is to the word קלוי in Lev. ibid. The text is in a very bad state here; v. the parallel passage in Sifra (ed.' Friedmann, p.

121-2) and notes thereon where all the parallel texts are collected and examined. V. also Dik. Sof. n. 9. The translation is based on the text as emended by Sh. Mek

(2) Heb. קליל: a receptacle of burnished bronze (Rashi).

(3) The term קלי 'parched' appears in the verse between two substantives, so that it is uncertain whether it refers to the preceding expression 'corn in the ear', in which case the fresh ears of corn must first be parched and then crushed, or to the subsequent expression 'crushed', in which case the corn must first be crushed and then parched.

(4) Hence it cannot refer to the subsequent expression but only to the one preceding, so that the fresh ears of corn must be parched.

(5) The Heb. כרמל is interpreted as two words: רך (by transposing the first two letters of the word) 'soft', 'tender', and מל 'brittle', 'easily crushed'.

(6) Lit., 'and thus it says'. Here follow some examples of interpretation of words by the method known as נוטריקון (steno-graphic or abbreviated), whereby any particular word is regarded as a combination of the initial or characteristic letters of the words in a sentence.

(7) II Kings IV, 42. The Heb. word בצקונו (translated in the versions 'in his sack') is here expanded into the following sentence: בא ויבק לנו ואכלנונוה.

(8) Prov. VII, 18. The word נתעלסה is expanded into: נשא ונתן ונעלה ונשמה ונתהשא. It must be noted that the letter 'sin' is often substituted for 'samech'; similarly the 'heth' for 'he'.

(9) Job XXXIX, 13. The word נעלסה is expanded into: נושא עולה ונתהשא. V. Rashi. Jastrow, Dict. p. 449.

translates 'He raises his wings and rises and enjoys himself'.

(10) Num. XXII, 32. Heb. ירט expanded into: ראתה נתשה

(11) Heb. כר and מלא; the ears of corn must be quite ripe, each grain filling the husk. According to R. Gershom, Aruch and Rashi: Each ear must be full (מלא) of grain as a cushion (כר) is stuffed with feathers.

(12) When later the corn is acquired by an Israelite.

(13) That were reaped for the purposes of the 'Omer; v. Mishnah supra 63b.

(14) I.e., corn produced and grown by the Temple authorities. Such produce apparently even R. Akiba would agree is exempt from tithes when it is acquired by an Israelite.

(15) For just as R. Akiba declares the remainder of the 'Omer-offering liable to tithes he also declares any corn redeemed from the Temple treasurer liable, so that the proof adduced by the Sages in their argument fails in its purpose.

MENACHOS III – 59a-86a

(16) I.e., the tenth for the 'Omer-offering. The remainder, however, was not covered by Temple money and was not regarded as consecrated hence it is subject to tithes. It follows, however, that if the corn was produced by the Temple authorities and the pile was smoothed whilst it still belonged to the Temple, it is exempt from tithes.

(17) R. Kahana's statement thus stands refuted.

(18) For R. Meir and R. Judah are of the opinion that a gentile cannot own property in the Land of Israel so fully as to release it from the obligation of tithe; so that produce bought from a gentile is liable to tithe even though at the time that the pile of corn was smoothed it belonged to the gentile.

(19) A member of one of the tribes that settled in the Northern Kingdom after the deportation of the Ten Tribes of Israel by the Assyrian king. Some of the peoples came from Cutha and so gave their name to the new settlers as a whole. They are also known as Samaritans. They accepted a form of semi-Judaism, and their status as Jews varied at different times.

(20) So that it is permitted to give terumah from produce bought from a gentile or a Cuthean for produce bought from an Israelite, or vice versa, for the smoothing of the pile belonging at the time to a gentile does not exempt it from tithes.

(21) For R. Jose and R. Simeon hold the view that produce which was finished and stacked into a pile and smoothed off whilst in the possession of a gentile or a Cuthean is exempt henceforth from tithes; and clearly what is exempt from tithe may not be given as tithe for other produce that is liable.

Menachoth 67a

The rolling out of dough¹ belonging [at the time] to the Temple exempts it [from the dough-offering]. For we learnt:² If a woman dedicated her dough [to the Temple] before she had rolled it out, and redeemed it,³ it is still liable to the dough-offering. If [she dedicated it] after she had rolled it out and then redeemed it, it is still liable. If she dedicated it before she had rolled it out and the Temple treasurer rolled it out, and afterwards she redeemed it, it is exempt, since at the time when dough becomes liable [to the dough-offering] it was exempt.

Raba, however, raised the question. What is the law if the dough when it was rolled out belonged to a gentile? We have indeed

learnt:⁴ If a man became a proselyte and he had dough that was already rolled out⁵ before he became a proselyte he is exempt [from the dough-offering].⁶ If [the dough was rolled out] after he became a proselyte, he is liable. If it is in doubt, he is liable. Now whose opinion is represented in this Mishnah? [Is it] the opinion of all? For even R. Meir and R. Judah who in that other case⁷ declare it liable [to the tithe], in this case declare it exempt; [their argument being that] in the other cases Scripture stated 'thy corn' several times,⁸ [each expression serving to exclude the corn of a gentile,] we thus have a limitation followed by a limitation, and wherever a limitation is followed by a limitation its purpose is nothing else but to include, so that even [the corn] of a gentile is liable [to tithe]; whereas in this case, since the expression 'your dough'⁹ is stated twice only, the one expression 'your dough' excludes the dough of a gentile, and the other expression 'your dough' excludes the dough that belongs to the Temple.¹⁰ Or perhaps this Mishnah represents the opinions of R. Jose and R. Simeon only who in that other case declare it exempt, but according to R. Meir and R. Judah [the dough of a gentile would be liable to the dough-offering, for they] infer this case from the other case by reason of the common expression 'the first'?¹¹ —

May it be the will [of God], prayed Raba, that I behold [the answer to my question] in a dream! Afterwards Raba came to the conclusion that he who holds that the smoothing of the pile of corn belonging to a gentile exempts it [from tithes], also holds that the rolling out of dough belonging to a gentile exempts it [from the dough-offering]; and he who holds that the smoothing of the pile of corn belonging to a gentile does not exempt it, also holds that the rolling out of dough belonging to a gentile does not exempt it.

R. Papa raised the following objection against Raba: If a gentile [now a proselyte]

MENACHOS III – 59a-86a

set apart the firstling¹² of his ass, or the dough-offering,¹³ he must be informed that he is exempt therefrom; his dough-offering may therefore be eaten by non-priests, and the firstling may be shorn and put to work. It follows, however, that the terumah [that he had set apart from his corn] is forbidden.¹⁴

Accordingly this Tanna is of the opinion that the smoothing of the pile of corn belonging to a gentile does not exempt it [from tithes], and [yet he holds] that the rolling out of the dough belonging to a gentile exempts it [from the dough-offering]! Furthermore, Rabina raised the following objection against Raba: As to the dough-offering set apart by a gentile [now a proselyte] in the lands [of Israel], or his terumah outside the land [of Israel], he must be informed that he is exempt therefrom; his dough-offering may therefore be eaten by non-priests, and his terumah would not render [the other produce into which it may fall] subject to the laws of terumah. It follows, however, that the terumah he set apart in the land [of Israel] is forbidden [to non-priests] and also renders [the other produce into which it may fall] subject to the laws of terumah.

Accordingly this Tanna holds that the smoothing of the pile of corn belonging to a gentile does not exempt it [from tithes], and yet [he holds] that the rolling out of the dough belonging to a gentile exempts it [from the dough-offering]! — It is only so Rabbinically,¹⁵ as a precautionary measure against men of wealth.¹⁶

(1) At this moment the dough becomes liable to the dough-offering; cf. Num. XV, 18-21. If at that moment the dough belongs to the Temple it is exempt from the dough-offering, but if to a lay person it is liable.

(2) Hal. III, 3.

(3) And after she had redeemed it she rolled it out, so that at the time of rolling out it no longer belonged to the Temple.

(4) Hal. III, 6.

(5) Lit. 'prepared'.

(6) For at the time of the rolling out the dough belonged to a gentile.

(7) In the matter of corn belonging to a gentile at the time when it becomes liable to the tithe, i.e., when the pile is smoothed off.

(8) In fact the expression 'thy corn' is stated three times viz., Deut. XII, 17; XIV, 23; and XVIII, 4, but one serves to exclude that which belongs to the Temple; each of the other two would serve to exclude that which belongs to a gentile.

(9) Num. XV. 20 and 21.

(10) So MS.M., Tosaf. and Sh. Mek. Cur. edd. read: The one expression 'your dough' teaches that there must be as much as your dough (v. Hul. 135b). and the other expression 'your dough' excludes the dough belonging to a gentile or to the Temple.

(11) 'The first' is stated with regard to the dough-offering. Num. XV, 20, and also with regard to the tithe of corn, Deut. XVIII, 4; therefore, as in the latter case the corn is liable to tithe even though at the time the obligation falls due it belongs to a gentile, so it is too with the dough-offering.

(12) I.e., he set apart a lamb as the redemption of the firstling of the ass; cf. Ex. XIII, 13. So Rashi, but v. Tosaf. s.v. עֲבֵדָה

(13) The firstling had been born while he was still a gentile; similarly the dough had been rolled out while he was still a gentile.

(14) To be eaten by non-priests, although at the time when he smoothed the pile he was a gentile.

(5) I.e., of produce grown in the land of Israel.

(15) Strictly even his terumah is no terumah and may be eaten by non-priests, for the smoothing of the pile by the gentile exempts the corn from terumah and tithes; but it is forbidden by Rabbinic decree.

(16) Lit., 'men of purses', i.e., Jewish merchants who purchase large quantities of corn from Jews and non-Jews; and if what they purchase from non-Jews is exempt from terumah and tithes, they might hold that even what they purchase from Jews is also exempt. Another interpretation: they are men with large estates and in order to avoid giving large quantities as terumah and tithe they would arrange to dispose of the field temporarily to a gentile, so that the smoothing of the pile be done by the gentile, and thus be exempt from terumah and tithes.

Menachoth 67b

Then the same should be said of the dough-offering, should it not?¹ — It is always possible [to avoid the dough-offering] by baking [quantities of dough each] less than

MENOCHOS III – 59a-86a

five quarters of a kab and a little more² of flour. Then with the terumah, too, it is always possible [to avoid the terumah] by acting according to R. Oshaia's ruling; for R. Oshaia said, A man can resort to a device with his produce and bring it in [to his house] together with the chaff, so that his cattle may eat of it and it is exempt from the tithe; or he can bring it in by way of the roof or by way of a back enclosure!³ — In the latter case,⁴ since it is done openly, he would be ashamed of it;⁵ but in the former cases⁶ it is done in private and he would not be ashamed of it.⁷

MISHNAH. HE⁸ THEN CAME TO THE TENTH, PUT IN OIL⁹ AND ITS FRANKINCENSE, Poured in the oil, mingled it, waved it, brought it near [to the altar], took from it the handful and burnt it; and the remainder was eaten by the priests. After the omer was offered they used to go out and find the market of Jerusalem already full of meal and parched corn [of the new produce]; this, however, did not meet with the approval of the sages.¹⁰ So R. Meir. R. Judah says, they did so with the approval of the sages.¹¹

GEMARA. And does not R. Judah apprehend lest one might eat of it? But I can point out a contradiction to this, for we have learnt: Judah says, One searches on the night [preceding] the fourteenth day [of Nisan], or¹² on the morning of the fourteenth, or¹² at the time for its removal.¹³ But the Sages say, If a man has not searched, etc.¹⁴ — Rabbah answered, It is different with the new produce,

(1) Even the dough that was rolled out by a gentile should also, Rabbinically, be subject to the dough-offering, for otherwise men might avoid the dough-offering by arranging that a gentile should roll out the dough.

(2) This is the minimum quantity of dough liable to the dough-offering. cf. 'Er. 83b. 'Ed. I, 2.

(3) Produce is not liable to the tithe unless (a) its preparation has been finished, i.e. it has reached

that stage when the pile of grain has been smoothed off, and (b) it is brought, when finished, into the house or store-room in the usual manner, i.e., through the door. Otherwise it is not liable, and a man's cattle may eat of it at all times, and even the man himself may eat of it casually. In this case, therefore, the produce is not liable to the tithe at all, since it was brought into the house with the chaff, i.e., unfinished, or it was brought in in an unusual manner.

(4) Concerning terumah.

(5) To resort to the device mentioned above, for it would be obvious to all what his purpose was; hence in order to avoid giving terumah he would have to resort to the subterfuge of transferring the produce to a gentile that he should smooth the pile. The Rabbis therefore decreed that this act of the gentile should not exempt it from terumah.

(6) With regard to the dough.

(7) To bake the dough in small quantities; so that he would not have to resort to the subterfuge of transferring the dough to a gentile that he should roll it out in order to be exempt from the dough-offering.

(8) I.e., the person chosen for this service, not necessarily a priest, for only the taking out of the handful and the services subsequent thereto had to be performed by a priest.

(9) A part of the log of oil was first poured into the vessel and then the flour was put in, thereafter more oil was poured in and the whole was mingled together, and finally the remainder of the oil was poured in. V. infra 74b;

(10) For the produce that is now sold in the market must have been reaped before the offering of the 'Omer, and this in most cases is forbidden, v. infra 70a; moreover, even if it was the produce of those fields that may be reaped before the offering of the 'Omer, v. infra 71a, it is to be feared, according to R. Meir, that the people whilst reaping would eat of it.

(11) And it is not to be feared lest the people eat of it whilst reaping, since they are accustomed to abstain from the new produce until the offering of the 'Omer.

(12) I.e., if he did not search for leaven on the first mentioned time he must search for it on the second time stated or the third.

(13) At the sixth hour of the fourteenth day. After this, however, he must not make the search for leaven, since it is to be feared that during his search if he finds any leaven he might eat it and so transgress the law. This view clearly contradicts that expressed by R. Judah in our Mishnah.

(14) Pes. 10b.

MENOCHOS III – 59a-86a

Menachoth 68a

for since you have only permitted a man to pluck [the corn with the hand],¹ he would remember.²

Said Abaye to him: This is satisfactory with regard to reaping, but what about the grinding and the sifting?³ — This is really no difficulty, for the grinding could be done in a hand-mill, and the sifting on the back of the sieve. But what is to be said of irrigated fields where reaping is permitted, for we have learnt: One may reap [before the ‘Omer the corn] in irrigated fields in the plain, but one may not stack it?⁴ — Abaye therefore answered thus, From the new produce a man is accustomed to abstain,⁵ but from leaven he is not accustomed to abstain.⁶

Said Raba, Is there only a contradiction between the views of R. Judah and not between the views of the Rabbis?⁷ — Raba therefore answered, There is no contradiction between the views of R. Judah, as we have already answered;⁸ and there is also no contradiction between the views of the Rabbis, for the sole purpose of his searching [for leaven] is in order to burn it, would he then eat of it?⁹

R. Ashi said, There is no contradiction between the views of R. Judah, because our Mishnah speaks of MEAL AND PARCHED CORN.¹⁰ But this statement of R. Ashi is beside the mark;¹¹ for this is very well when the corn has been parched, but what can be said for the time before the corn has been parched?¹² Should you say that here too the corn will only be plucked,¹³ as Rabbah suggested above, then it will be asked, What is to be said in the case of an irrigated field where reaping is permitted? We must therefore say that R. Ashi's statement is beside the mark.

MISHNAH. AFTER THE ‘OMER WAS OFFERED THE NEW CORN WAS PERMITTED FORTHWITH; BUT FOR THOSE

THAT LIVED FAR OFF¹⁴ IT WAS PERMITTED ONLY AFTER MIDDAY. AFTER THE TEMPLE WAS DESTROYED R. JOHANAN B. ZAKKAI ORDAINED THAT IT SHOULD BE FORBIDDEN THROUGHOUT THE DAY OF THE WAVING.¹⁵ R. JUDAH SAID, IS IT NOT SO FORBIDDEN BY THE LAW OF THE TORAH, FOR IT IS WRITTEN, UNTIL THIS SELFSAME DAY?¹⁶ WHEREFORE WAS IT PERMITTED FOR THEM THAT LIVED FAR OFF IMMEDIATELY AFTER MIDDAY?¹⁷ BECAUSE THEY KNOW THAT THE BETH DIN ARE NOT DILATORY THEREWITH.

GEMARA. Rab and Samuel both stated that when the Temple stood the offering of the ‘Omer rendered [the new corn] permitted, and when the Temple was no more the daybreak [of the sixteenth day] rendered it permitted. What is the reason for this? Because two expressions are written; it is written, Until ye have brought,¹⁸ and also, Until this selfsame day.¹⁸ How are they to be reconciled? The former refers to the time when the Temple stood, the other to the time when the Temple was no more. R. Johanan and Resh Lakish both stated that even when the Temple stood the daybreak [of the sixteenth day] rendered it permitted. But is it not written also, Until ye have brought? — This is only a recommendation.¹⁹

[But have we not learnt:] AFTER THE ‘OMER WAS OFFERED THE NEW CORN WAS PERMITTED FORTHWITH?²⁰ — This, too, is only a recommendation. [And have we not learnt:] The ‘Omer rendered the new corn permitted throughout the land and the Two Loaves rendered it permitted in the Temple?²¹ — This, too, is only a recommendation.

(1) But not to reap it in the ordinary manner with a sickle.

(2) Not to eat thereof whilst plucking the corn.

(3) What restriction or change from the usual manner in these works is suggested to remind him that it is new produce with which he is working and so abstain from eating thereof?

(4) *Infra* 71a.

MENACHOS III – 59a-86a

- (5) For he has not eaten of it the whole year round.
- (6) As he has been eating it until this day, he might forget himself and eat of it when he is forbidden so to do.
- (7) Of course there is a contradiction between the views of the Sages! More correctly the contradiction is between the view of R. Meir, the opponent of R. Judah, in our Mishnah, according to which we must apprehend the danger of one eating of the new corn while reaping it, and the view of the Sages, also the opponents of R. Judah, in the Mishnah in Pes., according to which view a man, if he had not made any search for leaven before the Festival, must search for it during the Festival whenever he reminds himself of it, and there is no fear that he will eat any leaven that he finds.
- (8) The answer suggested by Abaye.
- (9) Of course not; hence there is no reason to be apprehensive.
- (10) קמח קלי, and these are not fit to be eaten as they are, uncooked. Apparently PARCHED CORN in the Mishnah means meal prepared from parched ears of corn; so Rashi and R. Gershom. A variant of this expression in the Mishnah is קיה קלי 'meal of parched corn'.
- (11) ברותא; var. בדותא V. B.M., Sonc. ed., p. 47. n. 1.
- (12) When the ears of corn are fit for eating.
- (13) By the hand and not reaped, and this will serve as a reminder not to eat of it.
- (14) Those that dwell outside Jerusalem and do not know whether the 'Omer has already been offered or not.
- (15) I.e., the day on which the 'Omer was offered, which included the rite of waving, namely the sixteenth day of Nisan.
- (16) Lev. XXIII, 14. R. Judah takes the view that the term 'until' is inclusive, accordingly the whole of this day is forbidden. R. Judah
- (17) This question refers to Temple times. Perhaps the 'Omer will not have been offered by midday, why then are those far off permitted immediately after midday?
- (18) Lev. XXIII, 14.
- (19) It is proper to abstain from the new corn until the offering of the 'Omer, but there is no transgression if one did not observe this rule.
- (20) But surely not before the offering of the 'Omer.
- (21) infra 68b.

Menachoth 68b

But we have learnt: AFTER THE TEMPLE WAS DESTROYED R. JOHANAN B. ZAKKAI ORDAINED THAT IT SHOULD

BE FORBIDDEN THROUGHOUT THE DAY OF THE WAVING. What is the reason? The Temple may speedily be rebuilt and people would then say, 'Did we not eat last year [of the new corn] immediately at the daybreak [of the sixteenth day]? This year too we shall eat it [from the same time]', but they will not realize that last year when there was admits, however, that this was the law only after the destruction of the Temple, but during Temple times it was permitted immediately after the 'Omer was offered. no 'Omer-offering the daybreak rendered it permitted, but now that there is an 'Omer-offering it is only the 'Omer-offering that renders it permitted.¹ Now if it is only a recommendation to do so, would we impose a restriction on account of a recommendation only? —

R. Nahman b. Isaac said that R. Johanan b. Zakkai ruled in accordance with the view enunciated by R. Judah who said that it is forbidden by the law of the Torah, for it is written, 'Until this selfsame day', that is, until this very day itself, and he is also of the opinion that the expression 'until' is inclusive.³

But does [R. Johanan b. Zakkai] concur with him [R. Judah]? Do they not in fact disagree? for we have learnt: AFTER THE TEMPLE WAS DESTROYED R. JOHANAN B. ZAKKAI ORDAINED THAT IT SHOULD BE FORBIDDEN THROUGHOUT THE DAY OF THE WAVING. R. JUDAH SAID, IS IT NOT SO FORBIDDEN BY THE LAW OF THE TORAH, FOR IT IS WRITTEN, UNTIL THIS SELFSAME DAY? — R. Judah misunderstood [the other's view]; he thought that R. Johanan b. Zakkai regarded the prohibition as Rabbinic, but in fact it was not so; he meant it as a prohibition by the law of the Torah.

But does not our Mishnah say 'ORDAINED'? — 'ORDAINED' means, he

MENOCHOS III – 59a-86a

expounded [the verse] and established the law accordingly.

R. Papa and R. Huna the son of R. Joshua used to eat the new corn on the night of the sixteenth day which is really the beginning⁴ of the seventeenth day, for they hold the view that the prohibition of the new corn outside the land [of Israel] is only Rabbinical⁵ and that the doubts⁶ need not be taken into account. The Rabbis of the school of R. Ashi used to eat it on the morning of the seventeenth, for they hold that the prohibition of the new corn outside the land of Israel is Biblical,⁵ but that the ruling of R. Johanan b. Zakkai was only a Rabbinic ordinance; and this ordinance, they maintain, was intended to apply only to the actual day of the waving but not to the day of doubt.⁷

Rabina said, 'My mother told me that your father did not eat of the new corn until the night of the seventeenth which is the beginning of the eighteenth, for he is of the same opinion as R. Judah⁸ and also takes into account the day of doubt'.

MISHNAH. THE 'OMER RENDERED [THE NEW CORN] PERMITTED THROUGHOUT THE LAND, AND THE TWO LOAVES⁹ RENDERED IT PERMITTED IN THE TEMPLE.¹⁰ ONE MAY NOT OFFER MEAL-OFFERINGS,¹¹ FIRST-FRUITS, OR MEAL-OFFERINGS THAT ACCOMPANY ANIMAL OFFERINGS, BEFORE THE 'OMER; AND IF ONE DID SO, IT WAS INVALID. NOR MAY ONE OFFER THESE BEFORE THE TWO LOAVES; BUT IF ONE DID SO IT WAS VALID.

GEMARA. R. Tarfon was sitting and asked this question: What [is the reason for the difference in law] between [what is offered] before the 'Omer and [what is offered] before the Two Loaves?¹² Said Judah b. Nehemiah before him, No; you can say [that what is offered] before the 'Omer [is invalid]. for the prohibition [of the new corn] does not admit of any exception to the private individual,¹³

but can you say so [of what is offered] before the Two Loaves, seeing that the prohibition does admit of an exception to the private individual?¹⁴ R. Tarfon remained silent, and at once the face of Judah b. Nehemiah brightened with joy. Thereupon R. Akiba said to him, 'Judah, your face has brightened with joy because you have refuted the Sage; I wonder whether you will live long' — Said R. Judah b. Ila'i, 'This happened a fortnight before the Passover,¹⁵ and when I came up for the 'Azereth¹⁶ festival I enquired after Judah b. Nehemiah and was told that he had passed away'.

R. Nahman b. Isaac said, According to the view of Judah b. Nehemiah, if drink-offerings [of wine], made from the first-fruits which ripened [before the 'Omer], were offered before the 'Omer, they are valid,¹⁷ Is not this obvious?- [No.] for you might argue that only in that case¹⁸ [is the offering valid], because the prohibition¹⁹ admits of an exception to the individual, but not in this case where the prohibition does not admit of any exception; he therefore teaches us that it is all the more so in this case where there is no prohibition at all!²⁰

(Mnemonic: *Order. In bud. Dung. Elephant.*)²¹

Rami b. Hama raised the question: Do the Two Loaves render permitted when not in the usual order?²² What are the circumstances?-For instance, corn was sown [in the period] between the offering of the 'Omer and the Two Loaves, and then the time of the offering of the Two Loaves and the [next] 'Omer passed by. Shall we say that they [the Two Loaves] render permitted only in the usual order but not when not in the usual order, or that they render permitted even when not in the usual order? Rabbah said, Come and hear: The verse, And if thou bring a meal-offering of first-fruits.²³ refers to the meal-offering of the 'Omer. Of what

MENOSCHOS III – 59a-86a

was it offered? Of barley. You say 'of barley' but perhaps it is not so but rather of wheat!

Said R. Eliezer, The expression 'in the ear'²⁴ is stated In regard to [the incidents in] Egypt, and the expression 'in the ear'²³ is also stated [as an ordinance] for generations: just as 'in the ear' stated in regard to [the incidents in] Egypt referred to barley,²⁴ so 'in the ear' stated [as an ordinance] for generations refers to barley. R. Akiba said, We find that an individual must offer wheat as an obligation²⁵ and also barley as an obligation;²⁶ likewise we find that the community must offer wheat as an obligation and also barley as an obligation. Should you say. therefore, that the 'Omer was offered of wheat, then we do not find a case when the community must offer barley as an obligation! Another explanation: Should you say that the 'Omer was offered of wheat, then the Two Loaves would not be the first-fruits!²⁷ Now if it is right to say that the Two Loaves render permitted even when not in the usual order, then why do you say that the Two Loaves would not be the first-fruits? It can happen that the 'Omer is offered — of that corn which had taken root before the offering of the Two Loaves but after last year's 'Omer, and the Two Loaves of that corn which had taken root before this year's 'Omer²⁸ but after of the 'Omer and then the period of the Two Loaves.

The question here raised is whether the corn is always permitted for meal-offerings after the passing of these two periods, irrespective of their sequence. or not. last year's Two Loaves!-Do you think

(1) V. R.H. 36b.

(2) After the destruction of the Temple the new corn is forbidden the whole of the sixteenth day of Nisan by Biblical injunction.

(3) Of the terminus of the prohibition; so that the new corn is forbidden the whole of the sixteenth day and is only permitted on the following day.

(4) Lit., 'light'.

(5) V. Kid. 37a.

(6) Owing to the absence of a fixed calendar the duration of a month varied between twenty-nine and thirty days; consequently the day that is regarded as the seventeenth of the month may really be the sixteenth, if the preceding month consisted of thirty days.

(7) Accordingly after daybreak on the seventeenth day the new corn is permitted.

(8) First that the prohibition of the new corn outside the land of Israel is Biblical, and secondly, that the prohibition during the day of the waving of the 'Omer is also Biblical.

(9) Offered on the Feast of Weeks, cf. Lev. XXIII, 17.

(10) The new corn may henceforth be used for meal-offerings. The Two Loaves were to be the first offering from the new corn, as it is written, And ye shall present a new meal-offering unto the Lord, *ibid.* 16.

(11) Of new corn.

(12) Why is it that in the former case the offering is invalid and in the latter valid?

(13) For before the 'Omer the new corn is forbidden to all without exception.

(14) For after the 'Omer an individual may enjoy the new corn and the prohibition is restricted to the Temple only.

(15) Lit., 'that time was half the period (of preparation) for the Passover'; the period of preparation for the Passover being thirty days. v. Pes. 6a.

(16) The Feast of Weeks, v. *supra* p. 385. n. 5.

(17) According to the reasoning advanced by Judah b. Nehemiah, that where the prohibition of the new corn admits of an exception to the individual whatsoever is offered before the prohibition has been absolutely raised is valid, these drink-offerings are certainly valid, for the prohibition of the new produce not only admits of an exception but does not apply at all, as it applies only to corn and not to fruits. It must now be observed that the FIRST-FRUITS mentioned In our Mishnah, which may not be offered before the 'Omer, clearly refer to the species of corn that are included in the first-fruits and not to fruits.

(18) Sc. where meal-offerings are offered before the Two Loaves.

(19) Sc. of the new corn.

(20) For the new season wine or fruits are not prohibited before the 'Omer.

(21) These are the four subjects of the questions raised by Rami b. Hama in this passage.

(22) In the ordinary course corn is sown some time before the offering of the 'Omer, so that before the corn is permitted for use as meal-offerings (i.e., after the offering of the Two Loaves) the two periods affecting corn have passed by in the normal sequence, namely. first the period

MENACHOS III – 59a-86a

(23) Lev. II, 14.

(24) Ex. IX, 31.

(25) In ordinary meal-offerings.

(26) In the meal-offering of a woman suspected of adultery; cf. Num. V, 15.

(27) The Two Loaves, termed 'first-fruits' (Lev. XXIII, 17), were intended to be the first meal-offering of wheat of the year. This, however, would not be the case if the 'Omer were offered of wheat.

(28) It must here be assumed that wheat was sown at two periods during the one year; first, after the 'Omer but

Menachoth 69a

that we require [the Two Loaves] to be the first-fruits of any particular fruit?¹ [No.] we require them to be the first-fruits of the altar,² and in this case the altar has consumed of this year's produce.³

Rami b. Hama raised the question. Do [the Two Loaves] permit what is in bud⁴ or only what is in distinct formation?⁵ What is meant by 'in bud' and what by 'distinct formation'? Shall I say [that it means] the budding of the fruit and the distinct formation of the fruit? But surely if they permit [corn] which has only taken root, they will certainly permit fruits which are in bud or are distinctly formed! —

Rather [we must say that it means] the budding of the leaves and the distinct formation of the leaves; and the question is: which of these stages corresponds to the taking roots⁶ [of corn]?—This remains unanswered. before the Two Loaves; and a second time, after the Two Loaves. Now the wheat of the first sowing could be used for the next 'Omer, and thereafter all the wheat of that sowing would be permitted, for it is now held that grain over which there have passed the two periods, even though not in the usual sequence (for here the Two Loaves passed by it first), is permitted; and the wheat of the second sowing would be used for the Two Loaves, which would truly be first-fruits, as this crop of wheat has not been used before. The fact the Tanna does not accept

this position proves that the grain is not permitted unless the various periods pass by it in the proper sequence; so that, in the above case, the grain of the first sowing would not be permitted until after the Two Loaves had been offered; and as the wheat of this sowing was offered for the 'Omer the offering of the Two Loaves would not be first-fruits.

Raba son of R. Hanan raised the question, Does the 'Omer permit the wheat that is sown in the soil or not?— But what are the circumstances? If it took root,⁷ we have learnt it; and if not, we have also learnt it. For we learnt: If they had taken root before the 'Omer, the 'Omer permits them; and if not, they are forbidden until the next [year's] 'Omer.⁸ — The case must be that one reaped [the wheat] and resowed [the grains] before the 'Omer, and then the 'Omer came and went by;⁹ and the question is: may one take them¹⁰ out and eat them, for they are regarded as though they were lying in a pitcher, and the Omer has rendered them permitted; or perhaps they have become assimilated to the soil?¹¹ Does the law of overreaching apply to it¹² or not?¹³ — But what are the circumstances? Shall we say that he¹⁴ said, 'I cast therein six [measures of grain]', and witnesses came forward and testified that he cast therein but five?

But Raba has said, On account of any fraud in measure, weight or number, even though it is less than the standard of overreaching, one can retract!¹⁵ -The case must be that he¹⁴ said, 'I cast therein as much as was necessary', but witnesses came forward and testified that he did not cast therein as much as was necessary. Now the question is this: does the law of overreaching apply to it, for it is as though it were lying in a pitcher;¹⁶ or perhaps it has become assimilated to the soil?¹⁷ Is an oath taken concerning it or not?¹⁸ Is it as though it were lying in a pitcher, so that it is regarded as movables and an oath must be taken on account of it;

MENOSCHOS III – 59a-86a

or perhaps it has become assimilated to the soil, so that it is regarded as land and no oath may be taken on account of it? — These questions remain unanswered.

Rami b. Hama raised the question. What is the position with regard to the grains of wheat found in cattle dung or the grains of barley found in animal dung? — In what connection does this question arise? If you say in connection with their suffering food uncleanness, but we have learnt it: Grains of wheat found in cattle dung or grains of barley found in animal dung, even though one intended them as food, do not suffer food uncleanness; if one intended them as food for a child, they do suffer food uncleanness.¹⁹ And if you say in connection with meal-offerings, but it is obvious [that they may not be used for this purpose]; Present it now unto thy governor; will he be pleased with thee? or will he accept thy person?²⁰ — The case can only arise where one gathered [these grains] and sowed them, and one now wishes to bring [out of the new growth] a meal-offering. Is it on account of repulsiveness [that they must not be used for meal-offerings], but when they have been sown their repulsiveness is gone;²¹ or is it on account of their leanness,²² and now, too, they are lean?—The question remains undecided.

Rami b. Hama raised the question. What is the law if an elephant swallowed an osier basket and passed it out with its excrement? In what connection does the question arise? If you say with regard to the annulment of its uncleanness,²³ but we have learnt it: All articles are rendered susceptible to uncleanness through intention.²⁴ and divest themselves of their uncleanness only by an act which changes them!²⁵ —The case must be that it swallowed twigs and [the twigs when passed out] were made into an osier basket, and the question is: are [the twigs] regarded as ‘digested’ so that now [what is made from them is accounted]

(1) And therefore as long as no corn of any particular sowing has been used in the Temple it is suitable for the Two Loaves as first-fruits.

(2) I.e., the first-fruits of the year's produce to be offered on the altar.

(3) For the wheat used for the ‘Omer was of this year's produce even though of an earlier sowing.

(4) I.e., only such fruits which were in bud at the time of the offering of the Two Loaves may be brought later by an individual as first-fruits, but not those which were not in bud at that time.

(5) Only the fruit which had shown a distinct shape at the time of the offering of the Two Loaves may be brought later as first-fruits, but not those which were only in bud then.

(6) Does the budding of the leaves correspond to the taking root of corn, or is it only the later stage vis., the formation of the leaves that corresponds to it?

(7) And the question is whether the growth is permitted by the ‘Omer or not.

(8) Infra 70a.

(9) Had the grain not been resown it would certainly have been permitted by the ‘Omer; it had been resown, however, a short while before the ‘Omer and it had not taken root at the time of the ‘Omer.

(10) Sc. the actual grains of wheat that were sown.

(11) And they are regarded now as a new growth, which will not be permitted until the next year's ‘Omer.

(12) Wheat sown in the soil.

(13) The general rule of overreaching is: If in any transaction an error is made which is less than a sixth of the value of the goods, the transaction must stand; if it is more than a sixth it is void; if exactly a sixth it is valid but the amount of error must be returned. V.B.M. 50b. It is, however, established (B.M. 56a) that the law of overreaching does not apply to land. The case under consideration is this: where a man undertakes to sow another's field with wheat, he having to supply the wheat, is the transaction one of land or of movables?

(14) Sc. the contractor.

(15) Where the goods are short either in measure, weight or number, one can retract even though the shortage is less than a sixth; v. B.M. 56b; Kid. 42b.

(16) And it is a transaction of movables.

(17) And as the law of overreaching does not apply to the soil it neither applies to the wheat sown.

(18) I.e., concerning the wheat that had been sown. It is established (B.M. 56a) that no oath is imposed concerning transactions of land; the question therefore is whether any claim concerning the wheat sown is regarded as one affecting land or not.

MENACHOS III – 59a-86a

(19) Tosef. Toh. IX.

(20) Mal. I, 8.

(21) Accordingly the new growth may be offered as meal-offerings.

(22) Since the grains have passed through the digestive organs of the animal they are regarded as emaciated and dry, having lost all their sap; so that when sown they could only produce a meager and lean crop, unsuitable for offerings.

(23) I.e., the basket was unclean before it was swallowed, and it is suggested that now it should be regarded as clean, having divested itself of its uncleanness.

(24) The intention of a person to use an article in its present state for some purpose (even though the article normally serves another purpose and for that purpose the article is not yet complete) makes it susceptible to contract uncleanness. E.g., a hide is normally used for the making of shoes, so that before it is made into shoes it will not contract uncleanness. If, however, a man intended to use the hide, as it is now, for a mattress or a table cover, it thereby becomes susceptible to contract uncleanness.

(25) An article that is already unclean loses its uncleanness only if its structure has changed; e.g., if it is broken. (Kel. XXV, 9. Shab. 52b; Suk. 13b; Kid. 59a). In the case in question, since the basket is unchanged it still retains its uncleanness.

Menachoth 69b

as a vessel made from cattle dung or from earth, which does not contract uncleanness, for the Master has stated, Vessels made from stone, from cattle dung or from earth do not contract uncleanness, either by Biblical or by Rabbinical law;¹ or perhaps they are not regarded as ‘digested’?² — But surely the question can be solved from the following statement of ‘Ulla which he reported in the name of R. Simeon b. Jehozadak: It once happened that wolves devoured two children beyond the Jordan and they discharged them through the excretory canal; and when the fact came before the Sages they declared the [excreted] flesh as clean!³ Flesh is different for it is tender. Then let it be solved from the next line: And they declared the [excreted] bones as unclean! — Bones are different for they are exceptionally hard.⁴

R. Zera raised the question. What is the law with regard to wheat which fell from the clouds?—In what connection is the question raised? If [the question is raised as to its use] for meal-offerings, but why should it not be used? — It is raised in connection with the Two Loaves: [shall we say that] the Divine Law stated, Out of your dwellings.⁵ to exclude what comes from outside the land [of Israel], but what comes from the clouds would be permitted; or perhaps Scripture restricted it exclusively [to what comes] out of your dwellings, so that what comes from the clouds would also not [be permitted]? But can it ever happen so?⁶ Indeed yes, for there once came down [from the clouds] to Bar ‘Adi, the Arab, [a layer of wheat] the height of a handbreadth⁷ over an area of three parasangs.

R. Simeon b. Pazzi raised the question, What is the law if an ear of corn, which had reached a third of its growth before the ‘Omer, had been plucked out [before the ‘Omer] and was replanted after the ‘Omer when it increased its growth? Do we have regard to the stock [of the corn], and that was rendered permitted by the ‘Omer; or do we have regard to the increase, and that [will be permitted] only after next year’s ‘Omer? — But surely the question can be solved from the following statement of R. Abbahu which he said in the name of R. Johanan: If a young shoot⁸ laden with fruit was grafted on to an old tree, even if [the fruit had as a result] increased two hundredfold.⁹ it is still forbidden.¹⁰

Furthermore. R. Samuel b. Nahmani said in the name of R. Jonathan, If an onion was planted in a vineyard.¹¹ and the vineyard was later uprooted, even though [the onion had thereafter] increased two hundredfold, it is still forbidden?¹⁰ It was [those very rulings]¹² which caused him to raise the question. Were those Rabbis¹³ certain of the ruling that we have regard to the stock, and they would apply it to all cases whether it would lead to leniency¹⁴ or stringency;¹⁵ or perhaps they

MENACHOS III – 59a-86a

were in doubt about it, so that they applied it only to those cases which lead to stringency but not to those which lead to leniency? — This remains undecided.

Raba raised the question. What is the position with regard to tithing? In what circumstances? Where, for example,

- (1) Shab. 58a. Cf. Kel. X, I.
- (2) So that the basket can contract uncleanness.
- (3) For it is regarded as digested. V. Ta'an. 22b.
- (4) The question, however, still remains as regards ordinary articles that were swallowed and passed out again, whether they are to be regarded as digested or not.
- (5) Lev. XXIII, 27, in connection with the Two Loaves.
- (6) That wheat should fall from the clouds.
- (7) The meaning and etymology of כִּיזְבָּא (var. גִּיזְבָּא, v. D.S.) is unknown.
- (8) I.e., less than three years old, the fruit of which is 'orlah (v. Glos.) and is forbidden; cf. Lev. XIX, 23ff.
- (9) And generally 'orlah is neutralized and nullified by such an increase. V. Pes. 48a.
- (10) Since the increase is only an addition to the stock, no matter in what proportion it is to the stock, it will never nullify it. V. Ned. 57b. Hence it is seen that we have regard mainly to the stock.
- (11) This has rendered the entire vineyard, the onion as well as the vines, forbidden as kil'ayim, 'diverse kinds in the vineyard'; cf. Lev. XIX, 19; Deut. XXII, 9.
- (12) Sc. the ruling in each of the quoted statements
- (13) Sc.R. Abbahu and R. Samuel b. Nahmani.
- (14) As in the case put by R. Simeon b. Pazzi; for if we apply the rule that we have regard to the stock the result is that the corn is permitted by this year's 'Omer.
- (15) As in the cases quoted by these Rabbis, i.e., in respect of 'orlah and kil'ayim.

Menachoth 70a

the ears of corn were tithed by conjectural estimate and the rest was resown and had increased in growth.¹ And should you say that [in this case] we have no regard to the stock,² so that the increase must be tithed, the question will remain, What about the stock itself?³ -Said to him Abaye, Wherein does this differ from ordinary wheat and barley?⁴ — He replied. In those cases where the seed

decays I have no doubt at all;⁵ my question only refers to the case where what was sown does not decay.⁶ What is then the position with regard to this? —

But surely this can be solved from the following statement of R. Isaac which he said in the name of R. Johanan: If a litra⁷ of onions was tithed⁸ and then replanted, the tithe must again be taken from the whole [of the growth]⁹ — In this case it is the usual manner of planting,¹⁰ but in the former case that is not the usual manner of sowing.¹¹ R. Hanina b. Manyomi put the following to Abaye. What is the law with regard to the growth in a plant-pot that was not perforated?¹² —

But surely if it is not perforated, it is not perforated!¹³ Perhaps you refer to an unperforated pot which was later perforated!¹⁴ -Here there is but one sowing and it has now become joined [to the earth] and is growing up,¹⁵ whereas in the other case there were two sowings!¹⁶ R. Abbahu raised this question. What is the law if an ear of corn, which had been in the pile when it was smoothed off,¹⁷ had been replanted and designated [as terumah]¹⁸ when attached [to the soil]? Do we say that since it was in the pile when it was smoothed off it then became tebel,¹⁹ and therefore when it is later designated [as terumah, even though attached to the soil], it is consecrated [as terumah]; or perhaps since it was replanted its tebel state has passed? —

The Rabbis thereupon said to Abaye, If [we say] so,²⁰ then we find produce that is attached to the soil consecrated as terumah, and we have learnt: We do not find produce that is attached to the soil consecrated as terumah!²¹ — He replied. That was taught only in connection with the liability of death²² [at the hands of Heaven] and the payment of the added fifth.²² For if one plucked it²³ out and ate it, one has then eaten what was detached from soil; and if one bent down and

MENOCHOS III – 59a-86a

ate it, that act runs counter to the acts of men.²⁴ Wherein is this case²⁵ different from that which is stated in Ilfa's note-book, viz., As regards the eggs that were partly outside the carcass of a clean bird and partly inside,²⁶ the inside part²⁷ renders unclean whilst it is in the gullet the clothes [of him that eats it];²⁸ but the outside part does not render unclean whilst it is in the gullet the clothes [of him that eats it]!-What is not attached [to the soil] people sometimes eat in this [unusual] manner, but what is attached to the soil people do not eat in that manner.²⁹

R. Tabyomi³⁰ b. Kisna said in the name of Samuel, If a man sowed diverse seeds in an unperforated plant-pot, it is forbidden. Said Abaye, It is well if he were to teach us that the man suffers the Rabbinic penalty of chastisement;³¹ but what does he teach us by saying 'It is forbidden'? That Rabbinically it is regarded as a sowing? Surely this we have already learnt: If a man set aside as terumah that which grew in an unperforated pot for that which grew in a perforated pot, [what has been set aside is accounted as] terumah, yet he must give the terumah afresh.³²

MISHNAH. WHEAT, BARLEY, SPELT, OATS AND RYE ARE SUBJECT TO THE DOUGH-OFFERING; AND THEY CAN BE RECKONED TOGETHER.³³ THEY ARE FORBIDDEN [TO BE EATEN] AS NEW PRODUCE BEFORE THE 'OMER,³⁴ AND THEY MAY NOT BE REAPED BEFORE THE PASSOVER.³⁴ IF THEY HAD TAKEN ROOT BEFORE THE 'OMER, THE 'OMER RENDERS THEM PERMITTED; OTHERWISE THEY ARE FORBIDDEN UNTIL THE NEXT YEAR'S 'OMER.

GEMARA. A Tanna taught: Kusmin³⁵ [spelt] is a species of wheat;³⁶ shibboleth shu'al³⁷ [oats] and shipon³⁸ [rye] are species of barley. Kusmin

(1) The question therefore is: Must that increase, over and above the stock that was resown, be tithed, or is it exempt by reason of the original tithing of the stock?

(2) For otherwise it would result in a lenient ruling exempting the increase from tithing.

(3) Must the stock which was resown be tithed again or not?

(4) Which have been tithed, nevertheless when sown the produce thereof must undoubtedly be tithed again.

(5) The growth must then certainly be tithed, even though the seed had been tithed before sowing, for the original seed has perished in the earth and now there is an entirely new growth.

(6) E.g., where the tithed ears of corn had been replanted and there is now a further increase upon them.

(7) A measure of capacity; the Roman libra, a pound.

(8) Lit., 'prepared'; i.e., all the priestly dues were separated from it.

(9) I.e., both the stock and the increase. V. Ned. 57b. Similarly with the ears of corn, both the original ear and the increase must be tithed.

(10) Accordingly it must be tithed again.

(11) For the usual manner is to sow seeds and not to replant the ears of corn.

(12) It is assumed that the question is whether one may give as tithe produce grown in another unperforated pot for the produce grown in this unperforated pot. So Rashi and R. Gershom, but v. Sh. Mek. n. 3. It must be remembered that the produce grown in an unperforated plant-pot is by Biblical law exempt from the tithe; cf. Demai V, 10.

(13) And both pots are strictly exempt from the tithe.

(14) And the question that he raises is whether one may give as tithe the earlier growth or the stock (i.e., which grew before the pot was perforated) for the later growth or the increase. If we say that we do not regard the stock as the main growth but that we must consider the increase too, then the latter (i.e., the later growth) must be tithed by law, so that the stock may not be given as tithe for the increase. On the other hand, if we regard the increase as the main growth then the entire growth, even the stock, must be tithed by law, and the one may therefore be given as tithe for the other. This question is, therefore, similar to that raised by Raba supra, when he enquired whether the ears of corn (i.e., the stock) when replanted had to be tithed or not. Var. lec. insert: He replied, Indeed so. Said he to him, Then it is the same question as that of Raba?-He replied.

(15) There was here but one sowing of seeds in the pot and no more, and with the perforation of the pot the entire growth now draws sustenance from the earth, so that it is right to regard the earlier and later growth as one for the purposes of tithing.

MENOSCHOS III – 59a-86a

(16) In Raba's case, the ears of corn had been sown once, then tithed, and then resown. Consequently the stock and the increase are two distinct growths, hence the necessity of putting also this question.

(17) This is the stage when corn is subject to the duty of terumah, v. Ma'as. I, 6.

(18) V. Glos.

(19) I.e., subject to terumah and tithes; v. Glos.

(20) That it is consecrated as terumah even though attached to the soil.

(21) This is an established law though it is not found in any Mishnah or Baraitha, v. Marginal Gloss.

(22) If a non-priest deliberately eats terumah he incurs the penalty of death at the hands of Heaven, cf. Lev. XXII, 9; and if he eats it inadvertently, he must compensate the priest, adding thereto a fifth part of its value, cf. *ibid.*¹⁴. These laws, however, apply only to terumah that is detached from the soil. What is attached may still be terumah but the above penalties do not apply.

(23) Sc. the ear corn that was designated as terumah while still attached to the soil.

(24) Lit., 'his mind is nullified by the side of every man'. It is not considered eating, and therefore does not involve any penalties. Punishment is incurred only when one eats forbidden foodstuffs in the normal way.

(25) Which does not regard the eating of corn which is still attached to the soil as an eating.

(26) E.g., the hen had died whilst in the act of laying the egg.

(27) I.e., if a person put his mouth into the carcass of the bird and from the inside ate the inner half of the egg. This unusual manner of eating is nevertheless considered eating.

(28) For the inside part is regarded as part of the carcass, and therefore whosoever eats it renders the clothes that he is wearing at the time unclean. This is the only kind of uncleanness that is stated in connection with the carcass of a clean bird; v. Sifra, Lev. XXII, 8.

(29) And if one did eat the corn whilst still attached to the soil it is not regarded as eating.

(30) MS.M. and Sh. Mek.: 'R. Tobi'.

(31) For disobeying a Rabbinical ruling; since according to the Rabbis the sowing of seeds even in an unperforated pot is accounted as a sowing.

(32) Demai V, 10; Yeb. 89a; Kid. 46b.

(33) V. Gemara.

(34) So Rashi, R. Gershom, Tos. and Sh. Mek.; v. D.S. and notes ad loc. Cur. edd. transpose 'OMER' and 'PASSOVER' in this sentence.

(35) כרסמין.

(36) This was taught in connection with the dough-offering. If any dough consists of two different species of corn, each by itself not of sufficient

quantity to be liable to the dough-offering, the two kinds will not combine to make the dough liable to the dough-offering. Wheat and kusmin, however, can be combined as they are both of the same kind. And so too with the others mentioned.

(37) שיבולת שועל.

(38) שיפון.

Menachoth 70b

is gulba;¹ shipon is dishra;¹ shibboleth shu'al is foxtail.² Only these³ [are liable to the dough-offering]. but not rice or millet. Whence do we know it? —

Said R. Simeon b. Lakish. It is deduced from the occurrence of the word 'bread' both here and in the law concerning unleavened bread; for it is written here, It shall be when ye eat of the bread of the land,⁴ and it is written there,⁵ The bread of affliction.⁶ And whence do we know it there?⁵ — Said R. Lakish, and so it was taught in the School of R. Ishmael and also in the School of R. Eliezer b. Jacob: Scripture says, Thou shalt eat no leavened bread with it; seven days shalt thou eat unleavened bread therewith, even the bread of affliction;⁶ with such grain as can come to the state of leaven a man fulfils his obligation⁷ on the Passover; thus these are excluded, since they cannot come to the state of leaven but only to the state of decay.

AND THEY CAN BE RECKONED TOGETHER. A Tanna taught: Grain, flour and dough can be reckoned together. In what connection was this taught? R. Kahana said, In connection with the new produce.⁸ R. Joseph said, In connection with leaven on the Passover.⁹ R. Papa said, In connection with the Second Tithe, thus if one were to eat it⁹ outside the wall [of Jerusalem] one would incur stripes. Raba said, In connection with food uncleanness, and it teaches us that grain and flour [in order to contract uncleanness] must be like dough: as the latter is every bit¹⁰ a foodstuff so the former must be every bit a foodstuff.¹¹ And indeed it has been so taught: The grain of wheat, whether it is peeled or

MENOCHOS III – 59a-86a

not, is reckoned together with other foodstuffs,¹² but the grain of barley is reckoned together with other foodstuffs¹² only when peeled but not when not peeled. But surely this is not so. For a Tanna of the School of R. Ishmael taught: It is written, Upon any sowing seed which is to be sown;¹³ that is, seed such as men take out for sowing, namely wheat in its husk, barley in its husk, and lentils in their husks!¹⁴ — This is no difficulty; for the one speaks of fresh [seeds] whilst the other of dry [seeds].¹⁵

THEY ARE FORBIDDEN [TO BE EATEN] AS NEW PRODUCE BEFORE THE OMER.¹⁶ Whence do we know it?¹⁷ -Said Resh Lakish, It is deduced from the occurrence of the word 'bread' both here and in the law concerning unleavened bread.¹⁸

AND THEY MAY NOT BE REAPED BEFORE THE PASSOVER.¹⁶ Whence do we know it?¹⁹ -Said R. Johanan. It is deduced from the occurrence of the word 'first' both here and in the law concerning the dough-offering.²⁰

What is meant by '[THEY ARE FORBIDDEN TO BE EATEN AS NEW PRODUCE] BEFORE THE 'OMER'? -R. Jonah said, Before the reaping of the 'Omer.²¹ R. Jose b. Zabda said, Before the offering of the Omer.

We have learnt: **THEY ARE FORBIDDEN [TO BE EATEN] AS NEW PRODUCE BEFORE THE OMER, AND THEY MAY NOT BE REAPED BEFORE THE PASSOVER.** Now according to him who says 'Before the offering of the 'Omer' it is evident why the two prohibitions are not stated together and taught as one;²² but according to him who says 'Before the reaping of the 'Omer', surely the two prohibitions should have been stated together and taught as one thus: They are forbidden [to be eaten] as new produce and they may not be reaped before the 'Omer!²³ —

The fact is that if this dispute was reported it must have been reported in connection with the final clause [of Our Mishnah] which states, **IF THEY HAD TAKEN ROOT BEFORE THE OMER, THE 'OMER RENDERS THEM PERMITTED.** What is meant by 'BEFORE THE OMER'? R. Jonah said, Before the reaping²⁴ of the 'Omer. R. Jose b. Zabda said, Before the offering²⁴ of the 'Omer. R. Eleazar said

- (1) These are their names in Aramaic.
- (2) Ears of corn with bushy spikes like a fox's tail.
- (3) Sc. the kinds of grain enumerated in our Mishnah.
- (4) Num. XV, 19.
- (5) In connection with unleavened bread (mazzah).
- (6) Deut. XVI, 3. And as only these five kinds of grain may be used for the unleavened bread, 'the bread of affliction', on the Passover, similarly only these kinds are liable to the dough-offering.
- (7) By making unleavened bread therefrom.
- (8) If one were to eat an olive's bulk of the new produce consisting of grain, flour and dough, one would be culpable.
- (9) Cf. prev. note. mut. mut.
- (10) Lit., 'in its essence'.
- (11) I.e., the grain must be peeled of its inedible husk, and the flour free from bran in order to contract food uncleanness.
- (12) To make up the minimum quantity of an egg's bulk in order to contract food uncleanness. The husk of wheat, as it is edible, is counted with the grain, but that of barley is not. Indeed the husk of barley would even prevent the grain within from becoming unclean.
- (13) Lev. XI, 37.
- (14) V. Hul. 117b. Hence seeds in their husks are regarded as one entity for the purposes of food uncleanness.
- (15) R. Ishmael speaks of fresh seeds, still moist, whose husks are edible, whereas the husks of dry seeds are inedible.
- (16) V. supra p. 414, n. 5.
- (17) That the prohibition of the new produce applies only to the five kinds of grain enumerated in our Mishnah.
- (18) The word 'bread' occurs here with regard to the new produce (Lev. XXIII, 14: And ye shall eat neither bread nor parched corn) and also with regard to unleavened bread (Deut. XVI, 3: The bread of affliction). As the latter was to be made of these five kinds of grain only, so the prohibition of the new produce applies only to these five kinds.

MENACHOS III – 59a-86a

(19) That the prohibition of reaping before the Passover applies only to the five kinds of grain enumerated in our Mishnah. It must be observed that this prohibition of reaping before the Passover is synonymous with the prohibition of reaping before the reaping of the 'Omer, since reaping is a prohibited act on the Festival and immediately on the night after the first day of the Festival the reaping of the 'Omer commenced.

(20) The word 'first' occurs here with regard to the reaping of the 'Omer (Lev. XXIII, 10: The first of your reaping) and also with regard to the dough-offering (Num. XV, 20: The first of your dough). As the dough-offering applied only to these five kinds of grain so the prohibition of reaping before the 'Omer applies only to these five kinds.

(21) But as soon as the 'Omer was reaped, i.e., immediately on the morning after the first day of the Festival (for the 'Omer was reaped at night at the termination of the Festival day v. supra p. 416, n. 7) it was permitted to eat the new produce, even before the offering of the Omer.

(22) For the two prohibitions are raised at different times, viz., that of reaping immediately after the reaping of the 'Omer i.e., on the morning after the first day of the Festival, and that of eating the new produce only after the offering of the 'Omer.

(23) So Rashi and some MSS. In cur. edd. 'before the Passover'; v. Tosaf. s.v. ״אז. The two prohibitions are raised at the same time viz., immediately after the reaping of the 'Omer.

(24) So emended by Bir. Haz., thus in conformity with the report of the dispute stated above. Cur. edd. transpose 'reaping' and 'offering' in the respective views.

Menachoth 71a

to R. Josiah his contemporary,¹ You are not to sit down² Until you have explained to me the following: Whence is it derived that the 'Omer renders permitted that which has only taken root?³ - [You ask whence? Surely it is derived from the expression 'corn in the ear',⁴ from which it follows that there is that which is not yet in the ears⁵ [which is permitted by the 'Omer]. Perhaps [the inference is that there is] that which is not yet in the ear but which has reached a third of its growth [which is permitted by the 'Omer!⁶ –

Rather, said Samuel. [It is derived from the expression] 'from the time you begin to put the sickle',⁷ from which it follows that there is that which is not yet fit for the sickles [which is permitted by the 'Omer]. But perhaps the inference is that there is that which is not yet fit for the sickle but which is at least fit for fodder [that is permitted by the 'Omer]!⁶ –

Rather, said R. Isaac, [It is derived from the expression] 'to the standing corn,⁷ from which it follows that there is that which is not yet standing corn⁵ [which is permitted by the 'Omer] — But perhaps the inference is that there is that which is not yet standing corn but which is at least in the grass stage [which is permitted by the 'Omer]!⁶ –

Rather. said Raba, [It is derived from the expression] 'which thou sowest',⁸ that is from the time of sowing [it is permitted by the 'Omer]. Said R. Papa to Raba, In that case, even though it had not taken-root [it should be permitted by the 'Omer, should it not]?- He replied. You wise man,⁹ it is written, In the field.¹⁰

MISHNAH. ONE MAY REAP [BEFORE THE 'OMER THE CORN] IN IRRIGATED FIELDS¹¹ IN¹² THE PLAIN,¹¹ BUT ONE MAY NOT STACK IT. THE MEN OF JERICHO USED TO REAP [BEFORE THE 'OMER] WITH THE APPROVAL OF THE SAGES,¹³ AND USED TO STACK IT WITHOUT THE APPROVAL OF THE SAGES, BUT THEY DID NOT FORBID THEM.¹⁴ ONE MAY REAP THE UNRIPE CORN¹⁵ AND FEED CATTLE THEREWITH. SAID R. JUDAH, WHEN IS THIS SO? ONLY IF ONE HAD BEGUN TO REAP IT BEFORE IT HAD REACHED A THIRD OF ITS GROWTH. R. SIMEON SAID, ONE MAY REAP IT AND FEED [CATTLE THEREWITH] EVEN AFTER IT HAS REACHED A THIRD OF ITS GROWTH.

ONE MAY REAP ON ACCOUNT OF THE SAPLINGS¹⁶ OR [IN ORDER TO MAKE AN OPEN SPACE] FOR THE MOURNERS¹⁷ OR

MENOCHOS III – 59a-86a

THAT THE BETH HAMIDRASH BE NOT HINDERED.¹⁸ ONE MAY NOT BIND THEM¹⁹ IN BUNDLES BUT THEY MUST BE LEFT IN SMALL HEAPS. THE PRECEPT²⁰ OF THE ‘OMER IS THAT IT SHALL BE BROUGHT FROM THE STANDING CORN;²¹ IF THIS CANNOT BE FOUND IT MAY BE BROUGHT FROM THE SHEAVES. THE PRECEPT IS THAT IT SHALL BE BROUGHT FROM THE FRESH CORN;²² IF THIS CANNOT BE FOUND IT MAY BE BROUGHT FROM THE DRY CORN. THE PRECEPT IS THAT IT SHALL BE REAPED BY NIGHT; IF IT WAS REAPED BY DAY IT IS VALID. MOREOVER IT²³ OVERRIDES THE SABBATH.

GEMARA. It was taught: R. Benjamin says, The verse says, When ye shall reap the harvest thereof, then shall ye bring the sheaf.²⁴ and following that it says, The first of your reaping unto the priest.²⁵ How is it to be explained? Thus, the field from which you may bring [the ‘Omer] you may not reap [before the ‘Omer]. but that field from which you may not bring²⁶ [the ‘Omer] you may reap [before the ‘Omer]. Perhaps I ought to say this: that kind of grain from which you may bring²⁷ [the ‘Omer] you may not reap [before the ‘Omer], but that kind from which you may not bring [the ‘Omer] you may reap [before the ‘Omer]! — You cannot say so on account of R. Johanan's teaching.²⁸

THE MEN OF JERICHO USED TO REAP [BEFORE THE ‘OMER] WITH THE APPROVAL OF THE SAGES, AND USED TO STACK IT WITHOUT THE APPROVAL OF THE SAGES, etc. Whom have you heard say that [in certain cases] they [the Sages] forbade them²⁹ and [in others] they did not forbid them? [Clearly it is R. Judah.³⁰ Is then R. Judah of the opinion that with regard to reaping [before the ‘Omer] the men of Jericho acted with the approval of the Sages?

But it has been taught:³¹ The men of Jericho did six things: three with the approval of the

Sages and three without their approval. These they did with the approval of the Sages: they grafted palms the whole day.³² they ‘rolled up’ the Shema’,³³ and they reaped before the ‘Omer. And these they did without the approval of the Sages: they stacked the corn before the ‘Omer, they permitted for use the branches of carob and sycamore trees which had been dedicated to the Temple,³⁴ and they made breaches in their gardens and orchards so as to allow the poor to [come in and] eat the fallen fruit on Sabbaths and Festivals in years of drought.³⁵ So R. Meir.

Then said R. Judah to him, If they did them with the approval of the Sages then all people could do so! But they did both without the approval of the Sages, save that three they forbade them and three they did not forbid them to do. These they did not forbid them: they grafted palms the whole day. they ‘rolled up’ the Shema’, and they reaped and stacked before the ‘Omer. And these they forbade them:

- (1) An Amora of the third century. It is intended thereby to exclude the Tanna of that name who lived in the second century.
- (2) Lit., ‘sit on your legs’ with reference to their custom of sitting on the ground with the legs crossed under them.
- (3) At the time of the ‘Omer. Even though the seed had not broken through the earth it is still rendered permitted by the ‘Omer.
- (4) Lev. II, 14. This only shall be taken for the ‘Omer-offering, though what has not reached this stage is nevertheless permitted by the ‘Omer.
- (5) I.e., which has only taken root.
- (6) But that which has only taken root is not permitted by the ‘Omer.
- (7) Deut. XVI, 9. This refers to the reaping of the ‘Omer.
- (8) Ex. XXIII, 26. Although this is stated in connection with the Two Loaves the reference must be to that which was sown before the ‘Omer, for only such would be permitted for use in the offering of the Two Loaves. V. Rashi.
- (9) סודני, a denominative of סוד — ‘a wisdom’, ‘secret’. According to Rashi and R. Gershom, a compound of Aliter: ‘a brewer’, which was R. Papa's occupation. cf. Pes. 113a.

MENACHOS III – 59a-86a

(10) Ibid. XXIII, 16. I.e., it has taken root in the field and has begun to germinate, and is not merely lying in the soil.

(11) For the corn grown in these fields is of an inferior quality and is not fit to be used for the 'Omer, and it is

established (Gemara infra) that what is not fit for the 'Omer may be reaped before the 'Omer. Moreover it is essential to reap the corn of these fields at the earliest opportunity for the standing corn cannot remain long in the field.

(12) In MS.M.: 'AND IN THE PLAIN'; so too in the parallel passage in Pes. 11a. V. Tosaf. supra 68a, s.v. קוצרים

(13) For the fields around Jericho were artificially irrigated.

(14) Lit., 'stay their hand'.

(15) שחת, corn in its earliest stage. often used as fodder.

(16) For the corn which grows among saplings, if left to remain too long in the field, would soon ruin the sapling; moreover this corn is not fit to be used for the 'Omer. Another interpretation given by Rashi is that saplings are found to be growing in a corn field and it is necessary to reap the corn immediately before the prohibition of kil'ayim (diverse kinds) sets in.

(17) Where people assembled and blessings of consolation were recited in the presence of the mourners. V. Keth., Sonc. ed., p. 41, n. 5.

(18) If there is no room for the students in the Beth Hamidrash (House of Study) and it is necessary to clear a space in the field for them. In this case the reaping is for a religious purpose, and therefore permitted.

(19) Sc. the corn that may be reaped before the 'Omer.

(20) I.e., the proper performance of the precept.

(21) So that the corn shall be reaped especially for the purpose of the 'Omer-offering (לשמה); cf. Deut. XVI, 9.

(22) Cf. Lev. II, 14: 'karmel', which signifies seeds fresh and tender. V. supra 66b.

(23) Sc. the reaping of the 'Omer. When the first day of the Festival fell on a Friday then the reaping of the 'Omer was performed on the Friday night which is the Sabbath.

(24) Lev. XXIII, 10. This implies that it is permitted to reap before the 'Omer.

(25) Ibid. This part of the verse implies that the 'Omer shall be the first reaping and nothing shall be reaped before it.

(26) E.g. an artificially irrigated field.

(27) Sc. barley.

(28) Supra p. 416. R. Johanan established that the prohibition of reaping before the 'Omer applies to the five kinds of grain enumerated in the previous Mishnah, supra 70a.

(29) Sc. the men of Jericho.

(30) So that our Mishnah represents the view of R. Judah since it uses the expression 'BUT THEY DID NOT FORBID THEM'.

(31) Pes. 56a.

(32) Of the fourteenth of Nisan. Although in all places work was forbidden after midday on the day before the Passover, the men of Jericho did not regard grafting as work to come within this prohibition.

(33) I.e., they recited the Shema' (Deut. VI, 4-9) without making the necessary pauses. For the precise meaning of this v. Pes., Sonc. ed., p. 278-280.

(34) They maintained that only the stems of the trees had been dedicated; so that the branches which grew later on were permitted for use. They also held that no trespass-offering is due when one benefits from what grows upon that which was dedicated to the Temple. V. Pes. 56b.

(35) A man is forbidden to eat the fruit fallen from the tree on the Sabbath or on the Festival as a precautionary measure lest he climb up the tree and pluck it.

Menachoth 71b

they permitted for use the branches of carob and sycamore trees which had been dedicated to the Temple. they made breaches in their gardens and orchards so as to allow the poor to [come in and] eat the fallen fruit on Sabbaths and Festivals in years of drought, and they gave Pe'ah from vegetables;¹ and the Sages forbade them!² -But according to your view, too, [this passage is difficult, for] it says 'six things' and it enumerates seven!³ You must therefore delete reaping from here.⁴

ONE MAY REAP THE UNRIPE CORN AND FEED CATTLE THEREWITH. We have learnt elsewhere:⁵ These are the things which divide a field [into two] with respect to pe'ah:⁶ a river, a pool, a private⁷ or a public road,⁸ a public or a private path that is in use both during the summer and the rainy season, fallow land or newly broken land, and a different kind of crop. If one reaped the unripe corn [as fodder, the part so reaped] divides the field.⁹ So R. Meir; but the Sages say, This part does not divide the

MENOSCHOS III – 59a-86a

field¹⁰ unless it was also plowed up. Rabbah b. Bar Hanah said in the name of R. Johanan. R. Meir based his ruling on the principle enunciated by R. Simeon [in our Mishnah] who said, **ONE MAY REAP IT AND FEED [CATTLE THEREWITH] EVEN AFTER IT HAS REACHED A THIRD OF ITS GROWTH.** For he is of the opinion that any [cutting of] unripe corn¹¹ [for fodder] is no reaping.

Rabbah¹² was sitting and reciting this statement, when R. Aha b. Huna raised against Raba the following objection. It was taught: If locusts devoured [the crop in the middle of the field] or ants nibbled it or the wind broke it down, all agree that only if it was also plowed up does it divide the field [in two], but if it was not plowed up it does not divide the field.¹³ Who is meant by ‘all agree’! Obviously R. Meir.¹⁴ Now it is intelligible if you say that the Mishnah quoted¹⁵, refers to unripe corn which had not reached a third of its growth and the Baraitha which states ‘that only if it was also plowed up it divides the field and not if it was not plowed up’ refers to unripe corn which had already reached a third of its growth.¹⁶ But if you say that the Mishnah quoted also refers to that which had already reached a third of its growth, then [it will be asked,] If in that case,¹⁷ where the reaping was done by man, R. Meir holds that it is no reaping, then surely it is so in this case!¹⁸ —

Say, rather, that R. Meir based his ruling on the principle enunciated by R. Judah¹⁹ [in our Mishnah] who said, **WHEN IS THIS SO? ONLY IF ONE HAD BEGUN TO REAP IT BEFORE IT HAD REACHED A THIRD OF ITS GROWTH.** But perhaps you have heard R. Judah maintaining this view only when it is cut [as fodder] for cattle, but have you heard him say so²⁰ with regard to that which is cut [as food] for man? For if he were to say so then we should have three Tannaim differing in this matter!²¹ -The fact is that when R. Dimi came [from Palestine] he said,

R. Meir based his ruling on the principle enunciated by his teacher R. Akiba, namely that even though [it was cut as food] for man it is no reaping.²² For we have learnt: If a man reaped his field in separate stages.²³ leaving [unreaped] the unripe stems, R. Akiba says. He must give Pe’ah from each [portion reaped]. But the Sages say, From one for all.²⁴ And Rab Judah has said that R. Akiba declares him liable [to give Pe’ah from each portion] only where he reaps the field in stages for roasting.²⁵ but not where he reaps it in stages for storing.²⁶ But surely this is not so! For when Rabin came [from Palestine] he stated in the name of R. Johanan that R. Akiba declares him liable [to give Pe’ah from each portion] even where he reaps it in stages for storing!²⁷ —

(1) I.e., they left the corner (Pe’ah) of the vegetable plantation for the poor. The objection is that, since vegetables are by law not subject to Pe’ah and since what is taken as Pe’ah is exempt from the tithe, these vegetables would be eaten by the poor without being tithed.

(2) It will thus be seen that R. Judah reckons reaping before the ‘Omer among the things done without the approval of the Sages, contra our Mishnah.

(3) Reckoning reaping and stacking as separate items.

(4) For in fact reaping met with the approval of the Sages.

(5) Pe’ah II, 1.

(6) So that Pe’ah must be given from the fields on each side.

(7) That is four cubits wide.

(8) That is sixteen cubits wide.

(9) For the cutting down of unripe corn as fodder is not regarded as reaping.

(10) The cutting of the unripe corn, they say, is the beginning of the reaping of this field, the remainder to be reaped only when the corn is fully ripe; consequently the part now reaped will certainly not be regarded as a division of the field.

(11) Whether or not it has reached a third of its growth.

(12) Better ‘Raba’; so in the Sulzbach ed.

(13) A Baraitha in Tosef. Pe’ah I.

(14) For R. Meir in the Mishnah quoted above differs from this view and, in that case, does not insist on the plowing up of the part cut down. In this case, however, he accepts this view.

(15) Pe’ah II, 1.

MENACHOS III – 59a-86a

(16) The position of R. Meir is then intelligible; where it has not reached a third of its growth (as in Mishnah quoted) the cutting thereof is no reaping and so constitutes a division in the field, and where it has reached a third of its growth (as in Baraitha quoted) the cutting thereof is a reaping, accordingly it is no division in the field, unless, of course, it was plowed up.

(17) Pe'ah II, I.

(18) Where the corn was broken down by locusts or ants. This surely should not count as a reaping, yet the Baraitha states that all agree(!) that it is a reaping and so does not constitute a division in the field.

(19) Who clearly differentiates between the cutting of corn which has not yet reached a third of its growth, which is not considered reaping, and corn which has reached this stage, which is considered reaping. V. supra n.1.

(20) That the cutting of corn which has not reached a third of its growth is no reaping.

(21) For the first Tanna (in our Mishnah) expressly states that what is cut for cattle fodder is not considered reaping; R. Judah teaches that provided it has not reached a 'third of its growth, even though it is cut as food for man, it is not considered reaping; and R. Simeon goes so far as to say that even though it has reached a third of its growth, and even though it is cut as food for man, it is still not considered reaping; thus there are three distinct views in our Mishnah. This position, however, is untenable, for it is established (Sanh. 25a) that whenever R. Judah says 'when is this so?' he merely aims at explaining the words of the foregoing Tanna; but here, as stated, R. Judah gives an independent opinion of his own.

(22) If it had not yet reached a third of its growth.

(23) I.e., he cuts only the ripe corn leaving the unripe corn for later; the field has thus a patchy or speckled appearance (גמגמ. 'to give a speckled appearance').

(24) Pe'ah III, 2.

(25) I.e., when the corn has not yet reached a third of its growth and the ears can only be eaten after roasting. Accordingly R. Akiba holds that the cutting of corn which has not reached a third of its growth, even though intended as food for man, is not considered reaping.

(26) I.e., when it is reaped after it has reached a third of its growth.

(27) Whereas, R. Meir agrees that the cutting of corn after it has reached a third of its growth is considered a reaping.

Menachoth 72a

He [R. Meir] agrees with him₁ in the one case₂ but disagrees with him₁ in the other.³

ONE MAY REAP ON ACCOUNT OF THE SAPLINGS OR [IN ORDER TO MAKE AN OPEN SPACE] FOR THE MOURNERS OR THAT THE BETH HAMIDRASH [BE NOT HINDERED]. What is the reason?-The Divine Law says. [The first of] your reaping,⁴ but not the [first of the] reaping for a religious purpose.⁵

ONE MAY NOT BIND THEM IN BUNDLES BUT THEY MUST BE LEFT IN SMALL HEAPS. What is the reason?-Because so far as is possible we must not work [before the 'Omer].⁶

THE PRECEPT OF THE 'OMER IS THAT IT SHALL BE BROUGHT FROM THE STANDING CORN. Our Rabbis taught: It is written, And when thou bringest a meal-offering of first-fruits:⁷ what does this teach us?⁸ Since the precept of the 'Omer is that it shall be brought from the standing corn, whence should I know that if standing corn cannot be found it may be brought from the sheaves? The text therefore states 'thou bringest'. Another explanation is: 'Thou bringest': since the precept is that it shall be brought from the fresh corn, whence should I know that if fresh corn cannot be found it may be brought from the dry corn? The text therefore states 'thou bringest'. Another explanation is: 'Thou bringest': since the precept is that it shall be reaped by night, whence should I know that if it was reaped by day it is valid, and also that it overrides the Sabbath? The text therefore states 'thou bringest'. 'Thou bringest', whatever it is;⁹ 'thou bringest'. from any place;¹⁰ 'thou bringest', even on the Sabbath;¹¹ 'thou bringest', even in a state of uncleanness.¹²

IF IT WAS REAPED BY DAY IT IS VALID. But we have learnt: The whole night is valid for reaping the 'Omer and for burning the

MENOSCHOS III – 59a-86a

fat and the limbs [of sacrifices on the altar]. This is the general rule: any commandment which is to be performed by day is valid during the whole of the day, and any commandment which is to be performed by night is valid during the whole of the night.¹³ Now night and day are on a par, and just as that which is to be performed by day is not [valid] by night¹⁴ so that which is to be performed by night is not [valid] by day!¹⁵ —

Rabbah said, This is no difficulty, for one¹⁶ represents Rabbi's view, the other¹⁷ the view of R. Eleazar son of R. Simeon. For it was taught:¹⁸ If [the priest] was standing and offering up the 'Omer meal-offering and it became unclean, if there is another [available] he should be told, 'Bring the other in its place'.¹⁹ But if not, he should be told, 'Be wise and keep silent'.²⁰ So Rabbi. But R. Eleazar son of R. Simeon says. In either case he is told, 'Be wise and keep silent', for the 'Omer that was reaped not in accordance with its prescribed rite is invalid.²¹

Rabbah b. Bar Hanah said in the name of R. Johanan. The ruling of R. Eleazar son of R. Simeon is based upon the principle enunciated by R. Akiba, his father's teacher. For we have learnt: R. Akiba stated a general principle: Any work which can be done on the eve of the Sabbath does not override the Sabbath²² Moreover, he [R. Eleazar son of R. Simeon] is of the same opinion as R. Ishmael who holds that the reaping of the 'Omer is a religious duty. For we have learnt: R. Ishmael says,²³ Just as plowing is optional.²⁴ so the harvest [referred to in the verse] is an optional one, excluding the harvesting of the 'Omer, which is a religious duty.²⁵ Now²⁶ if we were to hold that if the 'Omer was reaped not in accordance with its prescribed rite it is valid, wherefore does it override the Sabbath? Let it be reaped on the eve of the Sabbath!²⁷ Since, however, it does override the Sabbath, one may infer that [he holds that] if it was reaped not in accordance with

its prescribed rite it is invalid.²⁸ But was not Rabbi a disciple of R. Simeon?²⁹

Surely it has been taught:³⁰ Rabbi said, When we were studying Torah at R. Simeon's [Academy] in Tekoa we used to carry up to him [on the Sabbath] oil and a towel from the courtyard to the roof, and from the roof to an enclosure, and from one enclosure to another enclosure, until we came to the fountain where we bathed!³¹ — He [Rabbi] concurs with the other teaching of R. Simeon. For it was taught:³² R. Simeon said, Come and see how precious is a precept in its proper time! For the burning of the fat and limbs is valid the whole night, yet they did not wait until nightfall.³³

- (1) R. Akiba.
- (2) Where it had not reached a third of its growth, R. Akiba and R. Meir agree that the cutting thereof is not considered reaping.
- (3) Where it had reached a third of its growth; R. Akiba maintains that the cutting is not considered reaping, but R. Meir maintains that it is.
- (4) Lev. XXIII, 10.
- (5) Reaping for a religious purpose is permitted even before the 'Omer. This is a sufficient reason for reaping in order to make a clearing for mourners or for study-both religious purposes. As to reaping on account of the saplings the reason is that the corn growing among the saplings is unfit for the 'Omer; or it might also be, even in this case, a religious purpose, namely, avoiding the transgression of the law of kil'ayim.
- (6) Wherever possible the work should not be performed in the usual manner but some change should be introduced (R. Gershom).
- (7) Lev. II, 14.
- (8) The expression 'thou bringest' is repeated in this verse, obviously for some special teaching.
- (9) Even sheaves.
- (10) Even from fields far away from Jerusalem, although by the time it reaches the Temple it will be somewhat dried. V. supra 64b.
- (11) The reaping of the 'Omer may be performed on a Sabbath, i.e., when the first day of the Passover fell on a Friday.
- (12) If the whole or the greater part of the community was unclean.
- (13) Meg. 20b.
- (14) E.g., the time for slaughtering a sacrifice is by day, and if slaughtered by night it is invalid.

MENACHOS III – 59a-86a

- (15) How then can it be maintained that the reaping of the ‘Omer is valid if performed by day?
(16) Our Mishnah.
(17) The Mishnah in Meg. 20b.
(18) Yoma 7a.
(19) Even though the other is still unreaped, it should be reaped now by day and prepared for the ‘Omer-offering, and not offer the first which is unclean.
(20) And not publish the fact that the one offered was unclean.
(21) And the ‘Omer which is reaped by day is invalid. Hence it is preferable to offer the first which is unclean (for which mishap the High Priest’s plate procures atonement v. Yoma ibid.) rather than another which is invalid at the outset.
(22) Shab. 130a.
(23) In commenting on the verse (Ex. XXXIV, 21): Six days shalt thou work, but on the seventh day thou shalt rest; in plowing time and in harvest thou shalt rest.
(24) As there is no plowing which is considered a religious duty.
(25) And therefore may be performed on the Sabbath, Sheb. I, 4.
(26) This was the argument that led R. Eleazar son of R. Simeon to the above ruling.
(27) For according to R. Akiba’s principle whatever can be done on the eve of the Sabbath does not override the Sabbath.
(28) And its time is strictly limited to the night which follows the first day of the Festival; accordingly it cannot be reaped earlier on the eve of the Sabbath nor by day.
(29) He certainly was, and he must have heard from his teacher the acceptance of R. Akiba’s principle. And as Rabbi holds that the time for reaping the ‘Omer is not strictly limited (for if it was not done by night it may be done by day), why does it override the Sabbath? It can surely be reaped before the Sabbath.
(30) Shab. 147b; ‘Er. 91a.
(31) For R. Simeon regards all roofs, or courtyards, or enclosures as constituting one single domain, and one may carry from one into the other articles that were kept in one of them when the Sabbath began. V. ‘Er. 89a.
(32) Pes. 68b.
(33) But the priests burnt the fat and the limbs of the Sabbath sacrifices on the Sabbath day, although the burning could have been postponed until nightfall. Similarly with the reaping of the ‘Omer, although it could be reaped earlier on the eve of the Sabbath, the precept is most precious when performed in its real time, namely on the Sabbath.

Menachoth 72b

And did not R. Eleazar son of R. Simeon know of this [teaching of his father]?¹ — [He certainly knew of it] but in that case it is different for the slaughtering has already overridden the Sabbath.² And Rabbi? Is it not the fact that the slaughtering there has already overridden the Sabbath?³ —

Rather [we must say that] Rabbi is of the opinion that the reaping of the ‘Omer does not override the Sabbath. But does it not? But we have learnt: The Sages say, whether on the Sabbath or on a weekday it was taken out of three se’ahs!⁴ That is not in accordance with Rabbi’s view. But we have learnt: The Sages say. Whether on the Sabbath or on a weekday it was reaped by three men into three baskets with three sickles!⁴ [That too is] not in accordance with Rabbi’s view. But we have learnt: On the Sabbath he called out further, ‘On this Sabbath?’⁵ — [That too is] not in accordance with Rabbi’s view.

IF IT WAS REAPED BY DAY IT IS VALID. MOREOVER IT OVERRIDES THE SABBATH. Whom have you heard say that if it was reaped by day it is valid? Clearly it is Rabbi.⁶ Yet it states, **MOREOVER IT OVERRIDES THE SABBATH.** Presumably it refers to the reaping [of the ‘Omer]. does it not?⁷ — No, it refers to the offering [of the ‘Omer]. And the reaping does not [override the Sabbath]? Surely it has been taught:⁸ Rabbi says. And Moses declared the appointed times of the Lord.⁹ For what purpose is this stated?¹⁰ Because we have learnt only of the daily offering and the Passover-offering [that they override the Sabbath and uncleanness]. since in its anointed time’ is stated in connection with them¹¹ — in its appointed time’, even on the Sabbath, ‘in its anointed time’, even in uncleanness. Whence do we know it of the other offerings of the congregation? The text therefore states These shall ye offer unto the Lord in your appointed times.¹² Whence do

MENOCHOS III – 59a-86a

we know to include the ‘Omer and that which is offered with it,¹³ and the Two Loaves and that which is offered with them?¹⁴ The text therefore states, ‘And Moses declared the appointed times of the Lord’: this verse thus fixed ‘the appointed time’ for all of them.¹⁵ Now for what [service is the Sabbath overridden]? Should you say for the offering, but the Two Loaves are not offered at all!¹⁶ Obviously then it is for the grinding and the sifting of the corn¹⁷ and similarly in the case of the ‘Omer for the reaping; thus it overrides the Sabbath. No, the ‘Omer [overrides the Sabbath] for the act of offering,¹⁸ and the Two Loaves for the baking;¹⁸ for Rabbi is of the opinion that the oven¹⁹ [of the Sanctuary] hallows them, so that had they been baked on the previous day they would, by being kept overnight, be now invalid. But does Rabbi hold that the oven hallows them? Surely it was taught: The lambs of Pentecost hallow the bread²⁰ only by their slaughtering.²¹ Thus if they were slaughtered under their own name and their blood was sprinkled under their own name, the bread is hallowed; if they were slaughtered under another name and their blood was sprinkled under another name, the bread is not hallowed; if they were slaughtered under their own name but their blood was sprinkled under another name, the bread is hallowed and not hallowed.²² This is the opinion of Rabbi. R. Eleazar son of R. Simeon says, It is by no means hallowed unless [the lambs] were slaughtered under their own name and their blood was sprinkled under their own name!²³ — R. Nahman b. Isaac answered, He²⁴ means that they are either determined or not determined.²⁵

CHAPTER VII

*MISHNAH*²⁶ FROM THE FOLLOWING MEAL-OFFERINGS THE HANDFUL MUST BE TAKEN AND THE REMAINDER IS FOR THE PRIESTS: THE MEAL-OFFERING OF FINE FLOUR,²⁷ THAT PREPARED ON A

GRIDDLE,²⁸ THAT PREPARED IN A PAN, THE CAKES AND THE WAFERS,²⁹ THE MEAL-OFFERING OF A GENTILE, THE MEAL-OFFERING OF WOMEN, THE MEAL-OFFERING OF THE ‘OMER, THE SINNERS MEAL-OFFERING,³⁰ AND THE MEAL-OFFERING OF JEALOUSY.³¹ R. SIMEON SAYS, FROM THE SINNERS MEAL-OFFERING BROUGHT BY PRIESTS THE HANDFUL IS TAKEN,³² AND THE HANDFUL IS OFFERED BY ITSELF AND SO ALSO THE REMAINDER IS OFFERED BY ITSELF.

GEMARA. R. Papa said,³³ All [the meal-offerings] enumerated in the Mishnah must consist of ten [cakes]. What does he teach us?—He wishes to exclude thereby R. Simeon's view who said, He may offer half in cakes and half in wafers; and so he teaches us that it is not so.

AND THE REMAINDER IS FOR THE PRIESTS. Whence do we know this? — Whence? [you ask,] but surely where it is expressly stated it is expressly stated, and where it is not expressly stated there is the verse, And this is the law of the meal-offering: the sons of Aaron shall offer it... and that which is left thereof shall Aaron and his sons eat!³⁴ — With regard to those which are brought from wheat I have no doubt,³⁵ I only ask it with regard to those brought from barley.³⁶ But even with regard to those brought from barley, surely [it is obvious that] the remainder is for the priests, since the handful is taken from them?³⁷ According to the view of the Rabbis³⁸ I have no doubt,³⁹ I only ask it according to the view of R. Simeon who maintains that there is a meal-offering from which the handful must be taken and yet [the remainder] may not be eaten, for we have learnt: R. SIMEON SAYS, FROM THE SINNER'S MEAL-OFFERING BROUGHT BY PRIESTS THE HANDFUL IS TAKEN, AND THE HANDFUL IS OFFERED BY ITSELF AND SO ALSO THE REMAINDER IS OFFERED BY ITSELF. Whence then do we know it? —

MENOSCHOS III – 59a-86a

Hezekiah said, From the verse, And every meal-offering, mingled with oil, or dry, shall all the sons of Aaron have.⁴⁰ And if this verse serves no purpose for meal-offerings of wheat mingled With oil⁴¹ it should be applied to meal-offerings of barley mingled with oil,⁴² and so, too, if this verse serves no purpose for dry meal-offerings of wheat⁴¹ it should be applied to dry meal-offerings of barley.⁴³ But does this [verse] serve this purpose? Surely it is required for the following which was taught: How do we know that meal-offerings may not be set off against animal-offerings?⁴⁴

- (1) He surely did, and in that case how could he argue from the fact that it overrides the Sabbath that the 'Omer which was reaped not in accordance with the prescribed rite is invalid?
- (2) The slaughtering of the Sabbath sacrifices has already overridden the Sabbath, and since the prohibition of Sabbath has once been overridden it is also permitted, for the sake of performing the precept at its earliest moment, to burn the fat and the limbs of the sacrifices on the Sabbath. With regard to the 'Omer, however, the Sabbath prohibition has not been overridden, consequently it would not be proper to override the Sabbath for the reaping of the 'Omer, but for the fact that it could not be reaped except in its proper time.
- (3) How then could Rabbi infer the rule that the reaping of the 'Omer overrides the Sabbath merely from the fact that the burning of the fat and the limbs was performed on the Sabbath?
- (4) V. supra 63b.
- (5) V. supra 65a.
- (6) Supra 72a, where Rabbi ruled that if during the offering of the 'Omer it became unclean, another 'Omer may be reaped and offered.
- (7) Whereas above it was concluded that according to Rabbi the reaping of the 'Omer does not override the Sabbath.
- (8) Pes. 77a.
- (9) Lev. XXIII, 44.
- (10) Seeing that all the Festivals are individually treated in that chapter.
- (11) Cf. Num. XXVIII, 2 and IX, 2.
- (12) Ibid. XXIX, 39. This verse concludes the section dealing with the additional offerings on Sabbath, New Moon and Festivals, and its purpose is to apply the expression 'in its appointed time' and the law derived therefrom to each of the offerings mentioned, as though it were explicitly stated with each.
- (13) Viz., the lamb offered with the Omer as a burnt-offering; cf. Lev. XXIII, 12.

(14) Viz., the two lambs offered with the Two Loaves as peace-offerings; *ibid.* 19. Since these offerings are not mentioned in the section in Num. they would not come under the rule of 'in its appointed time'.

(15) And it is as though 'in its appointed time' were expressly stated with the 'Omer and the Two Loaves', thereby implying that each overrides the Sabbath and uncleanness.

(16) For they are leavened, and nothing leavened may be offered on the altar; v. Lev. II, 11.

(17) Even though these acts can be performed before the Sabbath.

(18) Which act cannot be performed before the Sabbath; it therefore overrides the Sabbath.

(19) In which the Two Loaves are baked.

(20) I.e., the Two Loaves.

(21) But the baking in the oven presumably does not hallow the loaves.

(22) V. supra p. 283-4.

(23) V. supra p. 283.

(24) Rabbi.

(25) The hallowing by slaughtering referred to only means that the loaves are thereby determined for and assigned to the lambs slaughtered, so that if subsequently the lambs were lost these loaves could not be used with other lambs, and where the lambs were not slaughtered under their own name the loaves are not thereby determined for them but may be used with other lambs. The real hallowing of the loaves, however, is effected only by the baking in the oven of the Sanctuary.

(26) In the Wilna editions of this Tractate from 1886 onwards there is printed a second commentary of Rashi covering Chapters VII, VIII and IX. This commentary is undoubtedly the authentic Rashi, as is evidenced by the frequent quotations made by Tosaf. of the words of Rashi which are found only in this commentary. It is referred to hereinafter as 'Rashi MS'. The other commentary formerly attributed to Rashi is spurious, and in all probability is to be ascribed to a pupil of R. Gershom. The similarity between this commentary and that of R. Gershom is most striking.

(27) From which the handful was taken after the flour was mixed with the oil.

(28) From this and also from the following three kinds the handful was taken after the cake was broken into pieces.

(29) Of the meal-offering baked in an oven which consisted either of ten unleavened cakes or ten unleavened wafers. V. Lev. 11,4.

(30) Brought by a poor person as a sin-offering on the commission of any one of the transgressions mentioned in Lev. V, 1-4.

(31) Brought by a woman suspected by her husband of adultery; v. Num. V,15.

MENOSCHOS III – 59a-86a

(32) According to the first Tanna, however, no handful is taken out, for the whole of it is to be burnt upon the altar.

(33) For the interpretation of this passage, v. supra p 347. n. 10.

(34) Lev. VI, 7, 9.

(35) For this verse which declares that the remainder belongs to the priests deals specifically with meal-offerings of wheat.

(36) The ‘Omer-offering and the meal-offering of jealousy.

(37) For if the remainder did not fall to the priest but was to be burnt upon the altar, what was the point of taking out the handful?

(38) I.e., the first Tanna of our Mishnah; v. supra p. 431, n. 7.

(39) For it is clear that whenever the handful must be taken out the remainder belongs to the priests.

(40) Lev. VII, 10.

(41) For the verse previously quoted (ibid. VI, 9) already establishes the rule that all meal-offerings of wheat, mingled with oil or dry, belong to the priests.

(42) I.e., the ‘Omer-offering.

(43) I.e., the meal-offering of jealousy.

(44) I.e., instead of sharing each of the priestly portions of the offerings equally among the priests it is arranged that some priests shall receive only meal-offerings as their portion and others only portions of animal-offerings as theirs.

Menachoth 73a

Because the text states, And every meal-offering that is baked in the oven...shall all the sons of Aaron have.¹ I might think that meal-offerings may not be set off against animal-offerings seeing that in a case of poverty they do not replace them,² but meal-offerings [I would say] may be set off against bird-offerings since in a case of poverty they do replace them;² therefore the text states, And all that is prepared in the pan — shall all the sons of Aaron have.³ I might think that meal-offerings may not be set off against bird-offerings seeing that the latter are of the class of blood-offerings and the former of the class of cereal-offerings, but bird-offerings [I would say] may be set off against animal-offerings since both are of the class of blood-offerings; therefore the text states, And on the griddle...shall all the sons of Aaron have.⁴ I might think that bird-offerings may not be

set off against animal-offerings seeing that the preparation of the former is by hand whereas that of the latter is with a utensil,⁵ but one kind of meal-offering [I would say] may be set off against another kind of meal-offering since the preparation of both is by hand; therefore the text states, And every meal-offering mingled with oil... shall all the sons of Aaron have.⁶ I might think that the meal-offering prepared on a griddle may not be set off against that prepared in a pan nor that prepared in a pan against that prepared on a griddle, for what is cooked in the one⁷ is soft and what is cooked in the other⁸ is hard,⁹ but one that is prepared on a griddle [I would say] may be set off against another that is also prepared on a griddle, and so, too, one that is prepared in a pan may be set off against another that is also prepared in a pan; therefore the text states, Or dry, shall all the sons of Aaron have.¹⁰ I might think that sacrifices which are most holy¹¹ may not be set off against each other, but those which are less holy¹² may; therefore the text states, [Shall all the sons of Aaron have,] a man as well as his brother,¹⁰ and [in proximity thereto], If he offers it for a thanksgiving:¹³ just as most holy sacrifices may not be set off against each other, so also less holy sacrifices may not be set off against each other. ‘A man’ [signifies that] a man takes a share even though he has a physical blemish, but not a minor even though he is without blemish!¹⁴ - This teaching is derived from, the expression ‘every’.¹⁵ But has not this expression been used for the teaching of R. Jose son of R. Judah?¹⁶ -

That [teaching of R. Jose son of R. Judah] is derived from the expression, ‘and every’.¹⁷ Rabina said, It¹⁸ can be inferred from Levi's teaching, for Levi taught: [It is written,] Every offering of theirs, even every meal-offering of theirs, and every sin-offering of theirs, and every guilt-offering of theirs.¹⁹ ‘Every offering of theirs’ includes the log of oil of the leper.²⁰ For I might have thought that [it shall not be the priest's since] the

MENOSCHOS III – 59a-86a

Divine Law expressly stated, reserved from the fire;²¹ hence we are informed [that it is not so]. ‘Every meal-offering of theirs’ includes the meal-offering of the ‘Omer and the meal-offering of jealousy. For I might have thought that [these shall not be the priest's since] the Divine Law expressly stated, And they shall eat those things wherewith atonement was made,²² whereas the one serves to render permitted²³ and the other to ascertain [the truth];²⁴ hence we are informed [that it is not so]. ‘Every sin-offering of theirs’ includes the sin-offering of a bird. For I might have thought that [it shall not be the priest's since] it is nebelah;²⁵ hence we are informed [that it is not so]. ‘Every guilt-offering of theirs’ includes the guilt-offering of the Nazirite and the guilt-offering of the leper. But with regard to the guilt-offering of the leper, is it not expressly stated, For as the sin-offering is the priest's so is the guilt-offering?²⁶ —

Rather it includes the guilt-offering of the Nazirite, that it be like the guilt-offering of the leper. For I might have thought that [it shall not be the priest's since] it but serves to render permitted;²⁷ hence we are informed [that it is not so]. ‘which they may render unto Me’,²⁸ this is the [restitution for the] robbery committed on a proselyte.²⁹ [‘Shall be most holy] for thee and for thy sons’,³⁰ this teaches that it³¹ is thine own and thy son's own, even to betroth a woman therewith.³² R. Huna said,

(1) Lev. VII, 9,10. All priests shall receive a portion from the meal-offerings.

(2) V. Lev. V, 7, 11. The meal-offering does not take the place of an animal-offering in ordinary cases of poverty but only in extreme poverty, whereas the meal-offering replaces the bird-offering in ordinary poverty.

(3) Ibid. VII, 9,10. This insistence that every kind of meal-offering shall be distributed among the priests signifies that under no circumstances may one's portion in one offering be set off against another's portion in another offering.

(4) Ibid. And as this is unnecessary for meal-offerings apply it to blood-offerings.

(5) Bird-offerings had their heads nipped off by hand, animal-offerings were slaughtered with a knife.

(6) Ibid. 10.

(7) Sc. the pan, מרזח.

(8) Sc. the griddle, מקבת.

(9) v supra 63a.

(10) Lev. VII, 10.

(11) As the meal-offering and the sin-offering.

(12) As the thank-offering and the peace-offering.

(13) Ibid. 12.

(14) V. Kid. 53a. We thus see that the verse adduced by Hezekiah is here interpreted for another purpose.

(15) Whereas Hezekiah's teaching is derived from the expression ‘meal-offering’.

(16) V. supra 63b.

(17) I.e., from the superfluous waw, ‘and’. The Baraitha, however, derives its teachings from the expression ‘every’, and Hezekiah from ‘meal-offering’.

(18) That the remainder of the ‘Omer-offering’ and of the meal-offering of jealousy (both of barley) is eaten by the priests.

(19) Num. XVIII, 9.

(20) That the remainder of the oil, after the necessary rites have been performed therewith (cf. Lev. XIV, 10f) shall be the priest's.

(21) Num. XVIII, 9. And the oil is not reserved from the fire since no part thereof is burnt on the altar fire.

(22) Ex. XXIX, 33. This verse implies that the remainder of an atoning offering only shall be eaten by priests.

(23) The ‘Omer renders permitted the new produce.

(24) The meal-offering of jealousy is to ascertain the truth about the woman's guilt.

(25) V. Glos. Since the bird-offering has not been slaughtered it might be said the priests may not eat it.

(26) Lev. XIV, 13.

(27) With the offering of his guilt-offering the Nazirite is now ‘fit to begin anew his period of separation which had been interrupted by involuntary defilement. And as it is not an atoning offering it might be said that it may not be eaten by priests.

(28) Num. XVIII, 9.

(29) This too belongs to the priest. V. B.K. 110a.

(30) Num. ibid.

(31) Sc. the restitution for the robbery committed on a proselyte.

(32) On the other hand, a priest may not betroth a woman with the portions that he receives from the sacrifices. V. Kid. 52b.

MENACHOS III – 59a-86a

Menachoth 73b

The peace-offerings of gentiles are to be treated as burnt-offerings.¹ This I can prove either by simple reasoning or by a verse from Scripture. Either by simple reasoning: because a gentile in his heart [devotes the offering entirely] to Heaven.² Or by a verse from Scripture: Which they will offer unto the Lord for a burnt-offering:³ whatever they⁴ offer shall be a burnt-offering.

R. Hama b. Guria raised an objection: If a gentile made a freewill-offering of peace-offerings and he gave them to an Israelite,⁵ the Israelite may eat them;⁶ if he gave them to a priest, the priest may eat them.⁶ — Raba answered, It means this: if [he gave them to an Israelite] that the Israelite shall receive atonement thereby,⁷ the Israelite may eat them; if [he gave them to a priest] that the priest shall receive atonement thereby, the priest may eat them.

R. Shisbi raised an objection: FROM THE FOLLOWING MEAL-OFFERINGS THE HANDFUL MUST BE TAKEN, AND THE REMAINDER IS FOR THE PRIESTS...THE MEAL-OFFERING OF A GENTILE!⁸ -R. Johanan answered, This is no difficulty; for one⁹ represents the view of R. Jose the Galilean, the other¹⁰ R. Akiba's view. For it was taught: [It would have sufficed had Scripture stated] a man,¹¹ why does it state 'a man, a man'?¹¹ To include gentiles, that they may bring either votive or freewill-offerings like an Israelite. Which they will offer unto the Lord for a burnt-offering:¹¹ I only know [that they may offer] burnt-offerings, but whence [that they may offer] peace-offerings? The text states, Their vows.¹¹ And whence thank-offerings? The text states, Their free will-offerings.¹² And whence bird-offerings and meal-offerings¹³ and offerings of wine and frankincense and wood? The text states, Any of their vows,¹² and not merely 'their vows'; so too, Any of their freewill-offerings, and not merely 'their freewill-

offerings'. Why then does this text expressly state 'a burnt-offering'? To exclude the Nazirite-offering.¹⁴ This is the opinion of R. Jose the Galilean.

R. Akiba says, Which they will offer unto the Lord for a burnt-offering: thus [they may offer] only burnt-offerings. But is the law that a gentile is excluded from offering a Nazirite-offering derived from this teaching? Surely it is derived from the following teaching:¹⁵ Speak unto the children of Israel and say unto them, When either man or woman shall clearly utter a vow, the vow of a Nazirite, to consecrate himself unto the Lord:¹⁶ hence only the children of Israel can vow the vow of a Nazirite, but gentiles cannot vow the vow of a Nazirite!-From the former teaching I should only have said that they may not offer the Nazirite-offerings, but that the Nazirite vow does apply to them; [the latter passage] therefore teaches us [that it is not so]. In accordance with whose view is the following teaching which we have learnt: R. Simeon said, The Beth din ordained seven things and this was one of them: If a gentile sent his burnt-offering from a land beyond the sea and he also sent with it the drink-offerings¹⁷ for it, those [drink-offerings] of his¹⁷ are to be offered; but if he did not, they are to be offered at the expense of the community.¹⁸ Shall we say that this teaching¹⁹ agrees with R. Jose the Galilean and not with R. Akiba?-

You may even say that it agrees with R. Akiba, for [he meant to say, They may offer] burnt-offerings and everything appertaining thereto.²⁰ Who is the Tanna of the following Baraitha which the Rabbis taught:²¹ Home-born:²² the home-born brings drink-offerings,²¹ but a gentile may not bring drink-offerings. I might then think that his burnt-offering does not require drink-offerings [to be offered with it]; the text therefore states, After this manner.²² Now who is [the Tanna of this Baraitha]? It is neither R. Jose the Galilean nor R. Akiba! It is not R. Jose the

MENOSCHOS III – 59a-86a

Galilean for he says [that the gentile may offer] even wine²³ [for a drink-offering]; neither is it R. Akiba for he says [that he may offer] only a burnt-offering but nothing else! — If you wish, I can say it is R. Jose the Galilean; and if you wish, I can say it is R. Akiba. If you wish, I can say it is R. Jose the Galilean', but you must strike out the word 'wine' from that teaching.²⁴ 'And if you wish, I can say it is R. Akiba', for [he may offer] burnt-offerings and everything appertaining thereto.

R. SIMEON SAYS, FROM THE SINNER'S MEAL-OFFERING BROUGHT BY PRIESTS, etc. Whence is it derived? — Our Rabbis taught: And it shall be the priest's as the meal-offering;²⁵ that is to say, the service thereof may be performed by [the priest] himself.²⁶ You say it signifies that the service thereof may be performed by [the priest] himself, but perhaps it is not so, but rather it signifies that the [remainder of the] sinner's meal-offering brought by a priest is permitted [to be eaten];²⁷ and as for the verse, And every meal-offering of the priest shall be wholly burnt; it shall not be eaten,²⁸ that refers to his²⁹ freewill meal-offering, but his obligatory meal-offering may indeed be eaten! The text therefore states, 'And it shall be the priest's as the meal-offering', thereby comparing his obligatory meal-offering with his freewill meal-offering; thus as his freewill meal-offering may not be eaten, so his obligatory meal-offering may not be eaten. But R. Simeon said, Is it written, 'And it shall be the priest's as his meal-offering'? It says, As the meal-offering; thereby comparing

(1) No part thereof shall be eaten, but they must be wholly burnt. Likewise their meal-offerings must be wholly burnt.

(2) A gentile ignorant of the distinction between the various types of sacrifices, has but one intention in his mind, namely of offering it entirely to the Lord.

(3) Lev. XXII, 18.

(4) Sc. gentiles. This verse expressly includes the offerings of gentiles, v. infra.

(5) Presumably to offer them on his (the gentile's) behalf.

(6) They are treated as peace-offerings whose flesh is consumed by the owner—in this case the Israelite or priest but not the gentile, for a gentile may not eat consecrated meat—and not as burnt-offerings, contra R. Huna.

(7) I.e., if the Israelite had undertaken to offer peace-offerings he discharges his obligation with the peace-offerings given him by the gentile; accordingly he may eat the flesh thereof.

(8) Thus it is not wholly burnt; and so it is evidently with his peace-offerings.

(9) Our Mishnah which allows a gentile to bring meal-offerings and also other offerings.

(10) R. Huna who regards all the offerings of gentiles as burnt-offerings.

(11) Lev. XXII, 18. The word 'man' is repeated in the verse. The E.VV. render: Whosoever he be.

(12) Lev. XXII, 18.

(13) So in all MSS. and also in Tos. s.v. יא. Cur. edd. omit 'meal-offerings'.

(14) Since the law of the Nazirite does not apply to a gentile (v. infra) he cannot offer the offerings prescribed for the Nazirite.

(15) Naz. 61a.

(16) Mum. VI, 2.

(17) I.e., the money for the drink-offerings.

(18) Shek. VII, 6. V. supra 51b.

(19) Which permits the offering of drink-offerings by a gentile.

(20) Sc. the drink-offerings which accompany the burnt-offering. In most MSS., in the Aruch, Rashi MS., and Yalkut there is here used a rare word, אביזרה (var. אביזרה) 'appurtenances'. Cur. edd. read: הבירתה.

(21) Zeb. 45a; Tem. 3a.

(22) Num. XV, 13. This verse refers to the drink-offerings that must accompany the sacrifices.

(23) As a separate freewill-offering.

(24) Thus the gentile may bring every offering except the drink-offering of wine.

(25) Lev. V, 13. The verse refers to the sinner's meal-offering, i.e., the obligatory meal-offering; and the conclusion of the verse, that quoted in the text, according to Rabbinic interpretation, implies that the priest's obligatory meal-offering shall be like 'the meal-offering'. The arguments which follow serve to elucidate the point of the comparison with 'the meal-offering'.

(26) If a priest sinned and is obliged to offer a meal-offering, he may perform the service of his own meal-offering. The verse accordingly means: the priest's obligatory meal-offering shall be as the meal-offering of an Israelite; just as the priest performs the service for the latter so he may perform the service for his own meal-offering.

MENACHOS III – 59a-86a

(27) Thus this verse informs us that the priest's obligatory meal-offering is like the meal-offering of an Israelite which is eaten by the priests after the handful has been taken out.

(28) Lev. VI, 16.

(29) Sc. the priest's.

Menachoth 74a

the sinner's meal-offering brought by a priest with the sinner's meal-offering brought by an Israelite; thus as from the latter the handful is taken so from the former the handful must be taken. But you might [also say], Just as the handful is taken from the sinner's meal-offering brought by an Israelite the remainder may be eaten, so when the handful is taken from the sinner's meal-offering brought by a priest the remainder may be eaten; the text therefore states, 'The priest's as the meal-offering', that is to say, as regards what concerns the priest¹ it is like the [sinner's] meal-offering [brought by an Israelite], but as regards what concerns the altar-fire it is not like that meal-offering.² Accordingly the handful must be offered by itself and the remainder too must be offered by itself. But is the rule that the service thereof³ may be performed by [the priest] himself derived from this teaching?

Surely it is derived from the following teaching: Whence can we learn that a priest is entitled to come and sacrifice his offerings at any time and on any occasion he desires?⁴ Because the text states, And come with all the desire of his soul... and shall minister!⁵ — From this latter teaching I would have said that it⁶ applied only to such offerings as are not brought on account of sin, but not to such as are brought on account of sin.⁷ But is this⁸ derived from here?

Surely we know it from the following: The verse, And the priest shall make atonement for the soul that erreth, when he sinneth through error,⁹ teaches us that the priest can make atonement for himself by his own service! — From this latter teaching I would

have said that it applied only to such [offerings as are brought for a sin committed] in error, but not to such [as are brought for a sin committed] willfully; we are therefore taught [that it applies to the latter too]. (And¹⁰ is there any instance of [an offering brought for a sin committed] willfully? — Yes, for example, willfully taking a false oath.)¹¹ Another [Baraita] taught: R. Simeon says, From the sinner's meal-offering brought by a priest the handful is taken, and the handful is offered by itself and so also the remainder is offered by itself. R. Eleazar son of R. Simeon says, The handful is offered by itself and the remainder is scattered over the ash-heap.

R. Hiyya b. Abba said that R. Johanan pondered over this: Which ash-heap is meant? If that which is on top,¹² then his view is identical with his father's;¹³ and if that which is below,¹⁴ then [it will be asked], Is there anything that is ever offered below? — Perhaps, said R. Abba, [it is different when it is intended] to go to waste. They — thereupon laughed at him, saying, Is there anything whose rite is¹⁵ that it shall go to waste? —

R. Abin's father taught as follows:¹⁶ And every meal-offering of the priest shall be wholly burnt; it shall not be eaten:¹⁷ I have compared it¹⁸ [with the preceding High Priest's meal-offering] only in respect of eating¹⁹ but in no other respect.²⁰ What can it mean?²¹ — Abaye said, It means this:²² 'Every meal-offering of the priest...shall not be eaten': that is his obligatory meal-offering;²³ 'shall be wholly burnt': that is his freewill meal-offering.²⁴

Thereupon Raba said to him, A sharp knife is dissecting the verse!²⁵ Rather, said Raba, it means, 'Every meal-offering of the priest shall be wholly burnt': that is his freewill meal-offering; 'it shall not be eaten': that is his obligatory meal-offering.²⁶ Might I not say the reverse?²⁷ — It is more reasonable to

MENOCHOS III – 59a-86a

include his freewill meal-offering,²⁸ since [like the High Priest's meal-offering] it is frequent,²⁹ It is not brought on account of sin, and it has a sweet savour.³⁰ On the contrary, it is more reasonable to include his obligatory meal-offering,³¹ since [like the High Priest's meal-offering] it consists of one tenth³² and is brought as an obligation! — Those³³ are more In number. To what purpose do the Rabbis apply the verse And every meal-offering of the priest shall be wholly burnt; it shall not be eaten?³⁴ They require it for the following teaching: I only know that the former³⁵ must be wholly burnt, and the latter³⁶ shall not be eaten, whence do I know to apply what is stated of the one to the other and vice versa? The text therefore stated the word 'Kalil' in each case for the purposes of analogy. It says in the former passage 'Kalil' and in the latter also 'Kalil', as in the former it means wholly burnt, so In the latter it means wholly burnt. And as in the latter passage the eating thereof is expressly forbidden by a prohibition, so in the former the eating is forbidden by a prohibition. Rabina raised this question, What is the law if a priest ate of the sacrificial portions of an offering? As regards the prohibition concerning non-priests

- (1) I.e., the taking out of the handful.
- (2) For there is this distinction between them, the remainder of an Israelite's obligatory meal-offering is eaten, whereas the remainder of a priest's obligatory meal-offering must be burnt.
- (3) Sc. of the priest's meal-offering.
- (4) Even though he does not belong to that division of priests on duty at the time in the Temple.
- (5) Deut. XVIII, 6, 7.
- (6) The rule that the priest may sacrifice his own offerings.
- (7) The former teaching, based on Lev. V, 13, is therefore necessary to state this rule even with regard to sin-offerings too.
- (8) The rule that the priest may offer his own sin-offerings.
- (9) Num. XV, 28.
- (10) This passage in brackets is omitted in all MSS. and evidently was not in the text that was before Rashi. Sh. Mek. deletes it here.
- (11) Denying the knowledge of any testimony; v. Lev. V. 1.

- (12) I.e., the ash-heap which was in the middle of the altar.
- (13) For by scattering it on the ash-heap it is equivalent to burning it on the altar, which is the view expressed by his father R. Simeon.
- (14) I.e., the ash-heap on the ground by the side of the altar near the ascent.
- (15) Lit., 'that is offered'.
- (16) This teaching supplies the answer to the question raised, for according to the following exposition Scripture impliedly states that the remainder shall go to waste on the ash-heap. Some, however, regard this passage as a separate teaching and in no way connected with the preceding, so that the preceding discussion remains with the difficulty.
- (17) Lev. VI, 16. This verse follows upon the law concerning the High Priest's daily meal-offering (מנחת הכייתר, the meal-offering of griddle-cakes) which was wholly burnt.
- (18) Sc. the sinner's meal-offering brought by the priest.
- (19) That neither may be eaten.
- (20) For as regards the offering there is a distinction: the High Priest's meal-offering must be burnt on the altar whereas the remainder of the sinner's meal-offering brought by a priest is to be scattered on the ash-heap.
- (21) This verse expressly says that it shall be wholly burnt, how then can it be suggested that the remainder shall be scattered?
- (22) The fact that the verse states 'shall be wholly burnt' and also 'shall not be eaten' suggests, in order to avoid the redundancy, that it deals with two different kinds of priestly meal-offerings.
- (23) Thus the sinner's meal-offering brought by a priest shall, like the High Priest's meal-offering, not be eaten; but, unlike the High Priest's meal-offering, the handful must be taken therefrom and the remainder scattered on the ash-heap.
- (24) From which, as from the High Priest's meal-offering, the handful is not taken out.
- (25) According to Abaye's interpretation the verse is broken up and the words are transposed, connecting the last words with the first part of the verse. This is unnatural and arbitrary.
- (26) It must be observed that in essence Abaye and Raba both say the same thing; the only difference between them is as to the correct interpretation of the opening phrase 'And every meal-offering of the priest'. If this refers to his obligatory meal-offering then it is necessary to transpose the order in the verse, as Abaye does; if to his freewill meal-offering, then the verse is interpreted as it stands, as Raba does. V. Rashba.
- (27) Viz., that the obligatory meal-offering shall be wholly burnt without taking the handful therefrom, and that from the freewill meal-

MENACHOS III – 59a-86a

offering the handful shall be taken and the remainder scattered on the ash-heap. This objection is against both Abaye and Raba; v. prev. n. Cf. Tosaf. s.v. מצי; also Rashba.

(28) That it be like the High Priest's meal-offering in that the handful shall not be taken therefrom.

(29) It can be brought at any time at will, and the High Priest's meal-offering was offered daily, whereas the obligatory meal-offering was brought only on the commission of certain sins.

(30) For like the High Priest's meal-offering it was offered mingled with oil, and frankincense was also added, whereas the obligatory meal-offering was dry, without oil and frankincense. Another interpretation: the expression 'a sweet savor' is written in connection with the former but not with the latter.

(31) V. p. 441, n. 12.

(32) Whereas the freewill meal-offering may consist of any number of tenths of an ephah of fine flour, the only restriction being that there shall not be more than sixty tenths in one vessel.

(33) The points of resemblance between the freewill meal-offering and the High Priest's meal-offering.

(34) Since the Rabbis differ from R. Simeon and say that every meal-offering of a priest is to be wholly burnt without the handful being taken therefrom, to them the expression 'it shall not be eaten' is redundant in this verse.

(35) I.e., the passage dealing with the High Priest's meal-offering where it stated (Lev. VI, 15) 'It shall be wholly burnt', using the expression כָּלִיל; on the other hand, no express prohibition is stated against eating it.

(36) I.e., the verse dealing with the priest's meal-offering (ibid. 16), where it is expressly stated 'It shall not be eaten'; on the other hand, in this verse Scripture does not expressly say 'It shall be wholly burnt'; it only states 'It shall be whole', כָּלִיל

Menachoth 74b

I have no doubt at all;¹ I ask the question only as regards the precept 'It shall be wholly burnt'.² How is it then? — Said R. Aaron to Rabina, Come and hear: For it was taught: R. Eliezer says, The precept 'It shall be wholly burnt', wherever it applies, imports also a prohibition against eating.³

MISHNAH. THE MEAL-OFFERING OF THE PRIESTS,⁴ THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST, AND THE MEAL-OFFERING THAT IS OFFERED WITH THE

DRINK-OFFERINGS ARE [WHOLLY] FOR THE ALTAR AND THE PRIESTS HAVE NO SHARE IN THEM; WITH THESE THE ALTAR IS MORE PRIVILEGED THAN THE PRIESTS. THE TWO LOAVES AND THE SHEWBREAD ARE EATEN BY THE PRIESTS AND THE ALTAR HAS NO SHARE IN THEM; WITH THESE THE PRIESTS ARE MORE PRIVILEGED THAN THE ALTAR.

GEMARA. Are there no other cases?⁵ But what about the burnt-offering? — There is the hide thereof which belongs to the priests. And what about the burnt-offering of a bird?—There are the crop and the feathers thereof.⁶ And what about the drink-offerings? — They flow down into the pits.⁷ What then does WITH THESE' [signify]?⁸ [It is] to exclude Samuel's ruling. For Samuel stated:⁹ If a man makes a freewill-offering of wine, he must bring it and it is poured on the altar fire; [our Mishnah] therefore teaches us that it is poured into the pits. [Our Mishnah], however, supports [the other ruling of] Samuel, for Samuel stated,¹⁰ If a man makes a freewill-offering of oil, the handful must be taken from it [and burnt upon the altar], and the remainder is eaten by the priests.

THE TWO LOAVES AND THE SHEWBREAD. Are there no other cases?¹¹ But what about the sin-offering of a bird?—There is the blood thereof [which was sprinkled upon the side of the altar]. And what about the log of oil of the leper?—There are the sprinklings.¹² What does 'WITH THESE' [signify]? [It is] to exclude the view of him who says that the Two Loaves, if brought alone,¹³ must be burnt; our [Mishnah] therefore teaches us that with these the priests are always privileged.¹⁴

MISHNAH. ALL MEAL-OFFERINGS THAT ARE PREPARED IN A VESSEL¹⁵ REQUIRE THREE APPLICATIONS OF OIL BEFORE THEY ARE MADE READY, VIZ., POURING, MINGLING AND PUTTING IN.¹⁶ THE [BAKED] CAKES¹⁷ WERE MINGLED¹⁸ [WITH

MENOCHOS III – 59a-86a

OIL]. SO RABBI. BUT THE SAGES SAY, THE FINE FLOUR [WAS MINGLED WITH OIL]. THE CAKES¹⁹ REQUIRED MINGLING AND THE WAFERS²⁰ ANOINTING. HOW WERE THEY ANOINTED? IN THE FORM OF CHI.²¹ AND THE RESIDUE OF THE OIL WAS CONSUMED BY THE PRIESTS.

GEMARA. What does it²² exclude? — Said R. Papa, It excludes the meal-offering baked [in the oven].²³ Our Rabbis taught: And if thy offering be a meal-offering prepared in the pan, it shall be made of fine flour with oil:²⁴ this²⁵ signifies that it requires the putting in of oil in the vessel [at the outset]. [The expressions] ‘thy offering’ [used here and] ‘thy offering’ [used there]²⁶ establish an analogy:

- (1) The priest is certainly liable on account of the prohibition (Lev. XXII, 10) There shall no non-priest eat of the holy thing, for in regard to the portions that are to be burnt upon the altar the priest is in the same category as a non-priest.
- (2) Does this precept, which is stated in connection with the meal-offering, apply to all offerings which are to be burnt or not?
- (3) V. Mak. 18b. Hence the priest is liable on account of this prohibition too.
- (4) Whether brought as a freewill or obligatory offering.
- (5) Of offerings wholly consumed by the altar and in which the priests have no share.
- (6) Which are cast away and not offered; thus the offering is not wholly burnt upon the altar.
- (7) These were the pits under the altar into which the wine flowed after the libation; v. Suk. 49a. The drink-offerings therefore cannot be said to be consumed by the altar.
- (8) Seeing that we know of no exceptions to the rule.
- (9) Zeb. 91b. Samuel distinguishes between an offering of wine and of oil, since from the latter the handful can be taken but not from the former.
- (10) V. p. 443, n. 9.
- (11) Of offerings which are wholly consumed by the priests and in which the altar has no share.
- (12) Sc. the seven sprinklings of the oil towards the curtain. Hence it was not wholly consumed by the priests. Aliter: the application of the oil to the ear, etc. of the leper.
- (13) When the two lambs of Pentecost were not available, v. supra p.280.
- (14) For the Two Loaves are in all circumstances eaten by the priests.

(15) I.e., those prepared in a special vessel, as the griddle and the pan, but excluding those baked in the oven. V. Gemara.

(16) The manner of its preparation was this: some oil was first put in a vessel of ministry, the flour was then put in and the two were kneaded together. Later more oil was added which was mingled with the dough. It was then baked into a cake whereupon it was broken into pieces and again more oil was poured on it, and then the handful was taken from it.

(17) Of the meal-offering prepared on a griddle or that prepared in a pan or that baked in an oven.

(18) The prescribed mingling had to be performed after the meal-offering had been baked and broken into pieces.

(19) Of the meal-offering baked in the oven.

(20) Of the meal-offering baked in the oven.

(21) In the form of a cross like the Greek letter . V. Tosaf. infra 75a, s.v. כּמין, where various other suggestions are made.

(22) Sc. the expression ‘THAT ARE PREPARED IN A VESSEL’.

(23) This meal-offering had only two applications of oil, putting in and mingling, but not the third of pouring oil on it after it was baked.

(24) Lev. II, 7.

(25) Sc. the expression סלת בשמן; lit., ‘fine flour on the oil’.

(26) Ibid.5, with reference to the meal-offering prepared on a griddle.

Menachoth 75a

just as here there must be the putting in of oil in the vessel [at the outset], so there there must also be the putting in of oil in the vessel [at the outset]. And just as there there must be mingling and pouring, so here there must also be mingling and pouring.¹

THE [BAKED] CAKES WERE MINGLED [WITH OIL]. SO RABBI. BUT THE SAGES SAY, THE FINE FLOUR [WAS MINGLED WITH OIL]. Our Rabbis taught: [The expression] ‘fine flour mingled with oil’ signifies that the fine flour was mingled [with oil]. But Rabbi says, The cakes were mingled, as it is said, Cakes mingled with oil.² They said to him, Is it not written in connection with the loaves of the thank-offering, Cakes [mingled with oil]?³ Nevertheless it was not possible⁴ to mingle the cakes [with oil] but

MENOSCHOS III – 59a-86a

only the flour!⁵ How was it⁶ made ready? He put in oil into the vessel at the outset, put in [the flour], added oil to it and mingled them together; he then kneaded it, baked it, broke it in pieces, poured oil on it, and then took the handful from it. Rabbi says, The cakes were mingled, as it is said, ‘Cakes mingled with oil’. How was it made ready? He put in oil into the vessel at the outset, put in [the flour], kneaded it, baked it, broke it in pieces, added oil to it and mingled them together, again poured oil on it, and then took the handful from It. This was indeed a sound argument that the Sages put to Rabbi.⁷ What is the argument? Said R. Samuel son of R. Isaac, Since there was only one quarter log of oil, how could it be distributed among so many cakes?⁸

THE CAKES REQUIRED MINGLING [WITH OIL] AND THE WAFERS ANOINTING. Our Rabbis taught: It is written, ‘Cakes mingled [with oil],⁹ but not wafers mingled with oil. For [without the Biblical direction] I might have argued by an a fortiori argument thus: if cakes which do not require anointing require mingling, wafers which require anointing should surely require mingling! The text therefore states, ‘Cakes mingled [with oil],’ but not wafers mingled with oil. [It is written,] ‘Wafers anointed [with oil],⁹ but not cakes anointed with oil. For [without the Biblical direction] I might have argued by an a fortiori argument thus: if wafers which do not require mingling require anointing, cakes which require mingling should surely require anointing! The text therefore states ‘Wafers anointed [with oil],’ but not cakes anointed with oil. How is this implied? — Raba explained, Because [Scripture] should not have omitted to state at least once the expression ‘cakes anointed with oil and wafers mingled with oil’.¹⁰

HOW WERE THEY ANOINTED? IN THE FORM OF CHI. What is the meaning of ‘IN THE FORM OF CHI’?—Said R. Kahana, In

the form of the Greek letter chi.¹¹ Our Rabbis taught: If the meal-offering [baked in the oven] is composed half of cakes and half of wafers,¹² one must bring for it one log of oil and divide it, one half for the cakes and the other half for the wafers. The cakes are to be mingled [with oil] and the wafers anointed. One must anoint the wafer over the whole of its surface; and the residue of the oil is to be put into the cakes. R. Simeon son of Judah says in the name of R. Simeon, One must anoint it in the form of [the letter] chi; and the residue of the oil is consumed by the priests. Another Baraitha taught: If wafers are brought as an offering by themselves, one must bring for them one log of oil and anoint them, repeating this again and again until all the oil in the log has been used up. R. Simeon son of Judah says in the name of R. Simeon, One must anoint them in the form of [the letter] chi, and the residue of the oil is consumed by the priests.

MISHNAH. ALL MEAL-OFFERINGS THAT ARE PREPARED IN A VESSEL¹³ REQUIRE TO BE BROKEN IN PIECES.

GEMARA. What does it exclude?—Said R. Papa, It excludes the Two Loaves and the Shewbread.¹⁴ Our Rabbis taught: Thou shalt break it in pieces... it is a meal-offering;¹⁵ this includes all meal-offerings that they require to be broken in pieces. I might then say that it includes also the Two Loaves and the Showbread; the text therefore states, ‘It’. And pour oil thereon, it is a meal-offering;¹⁵ this includes all meal-offerings that they require oil to be poured on them. I might then say that it includes also the meal-offering baked in the oven; the text therefore states, ‘Oil thereon’. Perhaps I must thus exclude the cakes but not the wafers; the text therefore states, ‘It is’. How is this implied? Perhaps I should rather exclude the meal-offering of the priests!

(1) With regard to the meal-offering prepared on a griddle Scripture mentions two applications of oil, the mingling and the pouring at the end; and

MENOCHOS III – 59a-86a

with regard to that prepared in a pan Scripture only mentions the putting in of oil at the outset. On the strength of the analogy it is established that what is stated of the one applies to the other, thus both kinds require three applications of oil.

(2) Ibid. 4.

(3) Ibid. VII, 12.

(4) V. infra.

(5) Thus in spite of the express Biblical direction it was the flour that was mingled with oil and not the cakes.

(6) Sc. the meal-offering that was prepared in a pan or on a griddle.

(7) The text adopted is that of MS.M., R. Gershom, Tosaf. and Sh. Mek.; and the interpretation follows that suggested by Tosaf. sv. שפיר. V, Rashi. Cur. edd. read: What was the purport of the words ‘nevertheless it was not possible, etc.’ which the Sages said to Rabbi?

(8) V. infra 89a. A half log of oil was prescribed for the thank-offering, half of this quantity being used for the ten soaked cakes, and the other half (i.e., a quarter log) for the ten cakes and the ten wafers. It would therefore be impossible to mingle ten baked cakes with less than a quarter log of oil, for baked cakes are porous and all the oil would soon be absorbed in a few cakes. Obviously then the mingling could only have been performed before the cakes were baked, i.e., mingling the oil with the flour. And so it was, according to the Sages, with all meal-offerings.

(9) Lev. II, 4.

(10) The fact that Scripture invariably speaks of cakes mingled with oil and wafers anointed with oil indicates that the manner of applying the oil is exclusive in each case.

(11) V. supra p. 445, n. 2.

(12) According to R. Simeon the meal-offering baked in the oven may consist of either ten cakes or ten wafers or five cakes and five wafers. V. supra p. 372.

(13) I.e., from which the handful is taken (Tif. Yisroel).

(14) These were not broken in pieces.

(15) Lev. 11,6.

Menachoth 75b

— Rabbah explained, Which meal-offering is it that needs two expressions to exclude it?¹ You must say it is the meal-offering baked [in the oven].²

MISHNAH. THE MEAL-OFFERING³ OF AN ISRAELITE WAS FOLDED INTO TWO AND THE TWO WERE FOLDED INTO FOUR,⁴ AND

IT WAS SEVERED⁵ [AT EACH BEND]; THE MEAL-OFFERING OF PRIESTS WAS FOLDED INTO TWO AND THE TWO WERE FOLDED INTO FOUR, BUT IT WAS NOT SEVERED;⁶ THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST WAS NOT FOLDED. R. SIMEON SAYS, NEITHER THE MEAL-OFFERING OF THE PRIESTS⁷ NOR THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST WAS BROKEN IN PIECES, SINCE THE HANDFUL WAS NOT TAKEN FROM THEM, AND WHENEVER THE HANDFUL IS NOT TAKEN [FROM THE OFFERING] IT IS NOT TO BE BROKEN IN PIECES. THEY MUST ALL BE BROKEN INTO PIECES THE SIZE OF AN OLIVE.⁸

GEMARA. Our Rabbis taught: [It is written,] Thou shalt break.⁹ From this expression I would say [that it must be broken] in two, the text therefore states, In pieces.⁹ [From the expression] ‘in pieces’ I would say that it should be broken into crumbs, the text therefore states, ‘It’:⁹ it¹⁰ must be broken in pieces but not the pieces into further pieces. How then must it be done? The meal-offering of an Israelite was folded into two and the two into four, and it was severed [at each bend]; the meal-offering of priests and of the anointed High Priest were folded, etc. But have we not learnt: [THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST] WAS NOT FOLDED?-Rabbah said, It means it was not folded into four but it was folded into two.

R. SIMEON SAYS, NEITHER THE MEAL-OFFERING OF THE PRIESTS NOR THE MEAL-OFFERING OF THE ANOINTED HIGH PRIEST WAS BROKEN IN PIECES. R. Joseph said, Over *habiza*¹¹ which contains pieces of bread the size of an olive the benediction is ‘... who bringest forth bread from the earth’. If it does not contain pieces of bread the size of an olive the benediction is ‘...who createst various kinds of food’. R. Joseph said, Whence do I know this? From the following teaching: If he¹² was standing and offering meal-offerings [in the Temple]

MENACHOS III – 59a-86a

in Jerusalem, he says, 'Blessed art thou... who hast kept us in life and hast preserved us and enabled us to reach this season'. If he¹³ took them to eat he says the benediction ... — who bringest forth bread from the earth'.¹⁴ And we have learnt: **THEY MUST ALL BE BROKEN INTO PIECES THE SIZE OF AN OLIVE.**¹⁵

Abaye said to him, Then according to the Tanna of the School of R. Ishmael who said, 'He must crumble [the meal-offerings] until they have been reduced to the fineness of the flour of which they had been made', it would not be necessary to say the benediction 'who bringest forth' —¹⁶ And should you say that it is so, but it has been taught:¹⁷ If a man gathered together crumbs from all of them¹⁸ the size of an olive and ate them [on the Passover], if they were leavened he has thereby incurred the penalty of kareth,¹⁹ but if unleavened he fulfils therewith his obligation on Passover!²⁰ -We are dealing here²¹ with the case where he pressed [the crumbs] into a compact mass.²² In that case, consider the comment on the above teaching: 'Provided he ate them²³ in the time it takes to eat half a loaf'.²⁴ Now if he pressed them into a compact mass it should have stated 'he ate it!' — Rather we are dealing here with the case where the crumbs come from a large loaf.²⁵ What is the decision then?²⁶ R. Shesheth said, Even though the pieces of bread [in the habiza] are not the size of an olive, [one must say the benediction 'who bringest forth']. Raba said, This is so provided they still have the semblance of bread.²⁷

(1) Viz., 'it' and 'thereon'.

(2) For it consists of two kinds, cakes and wafers; accordingly two expressions are required to exclude this meal-offering.

(3) I.e., each cake.

(4) Thus fulfilling the precept of breaking in pieces.

(5) So that the handful could be taken therefrom.

(6) Since the handful was not taken from it but it was wholly burnt.

(7) Sc. his freewill-offering, for according to R. Simeon from the priest's obligatory meal-offering the handful was taken.

(8) Reading פוהתן. In the MSS., and also further in the Gemara and in Rashi, the reading is פוהיתין 'All the pieces must be about the size of an olive'. The exact implication of this statement is doubtful and many interpretations have been suggested: (i) After the pieces have been folded and broken into four, they must be broken into eight, and then again into sixteen and so on until each piece is reduced to the size of an olive. This statement accordingly continues the view of the first Tanna in this Mishnah (R. Gershom and Rashi). (ii) This statement is the expression of R. Simeon's view, that the pieces must be broken many times until each is reduced to an olive's size, this in opposition to the first Tanna who maintained that the cake was broken into four pieces only (Rashi in MS.). (iii) Each cake must first be broken into pieces each about the size of an olive, and then the pieces must be folded into two and then into four (Maim. in Com. on Mishnah, and Bartinoro).

(9) Lev. II, 6.

(10) Sc. each one of the two pieces.

(11) קביצא, a dish of flour, honey and oil beaten in a pulp (Jast.).

(12) Sc. a priest who is offering his first meal-offering of the year. Another interpretation: An Israelite who is offering a meal-offering for the first time in his life.

(13) Sc. the priest.

(14) The benediction prescribed for bread.

(15) Hence over food containing pieces of bread the size of an olive one must say the benediction .. — who bringest forth bread from the earth'.

(16) Since there are no pieces the size of an olive.

(17) V. Ber. 37b.

(18) Sc. from the five species of grain, v. supra p. 414 (Tosaf.).

(19) V. Glos.

(20) Thus crumbs when collected unto an olive's bulk are regarded as bread, consequently one must say over them the benediction 'who bringest forth'.

(21) In the 'Baraita quoted from Ber.

(22) Making one piece the size of an olive.

(23) Sc. the crumbs.

(24) I.e., a Piece of bread equivalent in size to four eggs (according to Maim: three). The eating of the crumbs must not

be spread out over a longer space of time.

(25) Since the whole loaf has not been reduced to crumbs but only a portion of it, the loose crumbs, even though each is less than an olive's bulk, are considered as of some worth, and when they make up an olive's bulk one must say over them the benediction 'who bringest forth'. Where, however,

MENACHOS III – 59a-86a

the entire cake is reduced to crumbs, as in the case of the meal-offering according to the view of the Tanna of the School of R. Ishmael, one would not have to say over them the benediction 'who bringest forth'.

(26) Regarding the saying of the benediction for bread over pieces less than the size of an olive.

(27) I.e., the pieces of bread have not been soaked too long in the mixture so as to be reduced to a pulp.

Menachoth 76a

MISHNAH. ALL MEAL-OFFERINGS REQUIRE TO BE RUBBED¹ THREE HUNDRED TIMES AND BEATEN² FIVE HUNDRED TIMES. THE RUBBING AND THE BEATING APPLY TO THE GRAINS OF WHEAT. R. JOSE SAYS, TO THE DOUGH.³ ALL MEAL-OFFERINGS CONSIST⁴ OF TEN CAKES EACH, EXCEPTING THE SHEWBREAD AND THE GRIDDLE-CAKES OF THE HIGH PRIEST, WHICH CONSIST OF TWELVE CAKES EACH. SO R. JUDAH. BUT R. MEIR SAYS, THEY ALL CONSIST OF TWELVE CAKES EACH, EXCEPTING THE CAKES OF THE THANK-OFFERING AND OF THE NAZIRITE-OFFERING, WHICH CONSIST OF TEN CAKES EACH.

GEMARA. A Tanna taught: He must rub once and beat twice, then rub twice and beat thrice.⁵ R. Jeremiah enquired, Is the [moving of the hand] to and fro counted as one [rubbing] or as two [rubblings]? — This is undecided.

THE RUBBING AND THE BEATING APPLY TO THE GRAINS OF WHEAT. R. JOSE SAYS, TO THE DOUGH. The question was asked: Does [R. Jose] mean to the dough and not to the grains of wheat; or does he mean to the dough too?—Come and hear, for it was taught: The rubbing and the beating apply to the grains of wheat. R. Jose says, The rubbing and the beating apply to the dough.⁶

ALL MEAL-OFFERINGS CONSIST OF TEN CAKES EACH, [EXCEPTING THE

SHEWBREAD AND THE GRIDDLE-CAKES OF THE HIGH PRIEST], WHICH CONSIST OF TWELVE CAKES EACH. With regard to the Showbread this is expressly stated.⁷ With regard to the griddle-cakes of the High Priest this is inferred by the occurrence of the word 'statute' both here and in connection with the Shewbread.⁸ But whence do we know that all other meal-offerings must consist of ten cakes each? — By inference from the cakes of the thank-offering: as these consist of ten cakes,⁹ so [all meal-offerings] must consist of ten cakes. Perhaps the inference should be drawn from the Showbread: as this consists of twelve cakes, so [all meal-offerings] must consist of twelve cakes! —

It is more reasonable to draw the inference from the cakes of the thank-offering since they¹⁰ [like the cakes of the thank-offering] are the offerings of an individual, are freewill-offerings, require oil, are rendered invalid if left overnight, and may not be offered on the Sabbath or in uncleanness.¹¹ On the contrary, it is more reasonable to draw the inference from the Showbread for they [like the Showbread] are most holy, require frankincense, consist entirely of unleavened cakes, and are brought on their own account!¹² -Those¹³ are more in number. But if we hold the view that what is derived by a gezerah shawah¹⁴ may be set up as a basis for further inference,¹⁵ should we not then draw the inference from the griddle-cakes of the High Priest; just as these consist of twelve cakes¹⁶ so [all meal-offerings] must consist of twelve cakes? —

It is more reasonable to draw the inference from the cakes of the thank-offering for they¹⁷ [like the cakes of the thank-offering] are the offerings of ordinary persons, are freewill-offerings, are not offered by halves, are subject to the law of Piggul, and may not be offered on the Sabbath or in uncleanness.¹⁸ On the contrary, it is more reasonable to draw the inference from the

MENOCHOS III – 59a-86a

griddle-cakes of the High Priest for they [like the griddle-cakes of the High Priest] consist of one tenth, are hallowed by a vessel, are most holy, require frankincense, consist entirely of unleavened cakes, are brought on their own account, require bringing near, and are offered [in part] on the altar fire;¹⁹ moreover these²⁰ are more in number! — It is preferable to infer an offering of ordinary persons from an offering of ordinary persons.²¹

R. MEIR SAYS, THEY ALL CONSIST OF TWELVE CAKES EACH. If he holds the view that what is derived by a gezerah shawah may be set up as a basis for further inference, then he infers [other meal-offerings]²² from the griddle-cakes of the High Priest, for these²³ are more in number. And if he holds the view that what is derived by a gezerah shawah may not be set up as a basis for further inference, then he infers [other meal-offerings] from the Showbread, for he prefers to infer the [most] holy from the [most] holy.

EXCEPTING THE CAKES OF THE THANK-OFFERING AND OF THE NAZIRITE-OFFERING, WHICH CONSIST OF TEN CAKES EACH. With regard to the cakes of the thank-offering this is expressly stated;²⁴ and with regard to the cakes of the Nazirite-offering [this is so] because the Master has said, 'His peace-offerings'²⁵ includes the peace-offerings of the Nazirite.²⁶ R. Tobi b. Kisna said in the name of Samuel, If for the cakes of the thank-offering one baked only four cakes [instead of forty],²⁷ it is sufficient. But are not forty necessary? — That is only as a meritorious act. But terumah has to be taken therefrom?²⁸ And should you say that a piece is taken from each cake as terumah, but the Divine Law expressly says 'One',²⁹ [meaning] that he may not take what is broken!³⁰ - [The terumah] was taken therefrom during the kneading.³¹ An objection was raised: All meal-offerings which were made into too many or too few

cakes are valid, excepting the Showbread, the griddle-cakes of the High Priest, the cakes of the thank-offering and of the Nazirite-offering! — He

(1) The grains of wheat must be rubbed with the hand in order that the husk be the more easily removed.

(2) Beating down with the fist (others: with the foot) on the grains.

(3) I.e., in the preparation of the dough it was necessary to rub it three hundred times and beat it five hundred times.

(4) I.e., shall be made up and baked into ten cakes.

(5) This process must be repeated one hundred times, thus there will have been three hundred rubbings and five hundred beatings.

(6) And not to the wheat. A variant reading in R. Jose is: The rubbing applies to the grains of wheat and the beating to the dough. So Bah. V. Maim. Com. on Mishnah.

(7) That there must be twelve cakes; v. Lev. XXIV,5.

(8) V. *ibid.* 9 and VI, 15.

(9) V. *infra* beginning of chap. VIII, p. 458.

(10) Sc. all other meal-offerings.

(11) Whereas the Showbread is an obligatory offering of the community and therefore it overrides the laws of the Sabbath and of uncleanness, does not require oil, and is left on the table in the Temple the whole week.

(12) Whereas the cakes of the thank-offering belong to the less holy offerings and are not brought as an offering by themselves but as accompanying the animal-offering. They do not have any frankincense, and some of the cakes are leavened.

(13) The points of resemblance between the other meal-offerings and the cakes of the thank-offering.

(14) V. Glos.

(15) Heb. Binyan Ab ('creation of a class'), an inference by analogy from a case explicitly stated in the Bible for all similar cases not specified in detail.

(16) This was arrived at by the gezerah shawah on the strength of the common expression 'statute' used of the Showbread and of the griddle-cakes of the High Priest.

(17) Sc. all other meal-offerings.

(18) Whereas the griddle-cakes are the offering of the High Priest, brought as an obligation, and therefore override the Sabbath and uncleanness; they are offered half in the morning and half in the evening, and are not subject to the law of Piggul (v. Glos.).

(19) Whereas the cakes of the thank-offering consist of many tenths of flour, they are hallowed

MENACHOS III – 59a-86a

only by the slaughtering of the animal sacrifice on whose account these cakes are brought, they do not require frankincense, a proportion of them is leavened, they do not require to be brought near to the altar, and no part thereof is offered upon the altar fire.

(20) Sc. the points of resemblance between the other meal-offerings and the griddle-cakes of the High Priest.

(21) I.e., other meal-offerings from the cakes of the thank-offering, rather than from the High Priest's meal-offering.

(22) That they shall consist of twelve cakes.

(23) V. supra n. 5.

(24) That these must consist of ten cakes of each kind; v. infra 77b.

(25) Lev. VII, 13, stated with reference to the thank-offering.

(26) Therefore like the thank-offering the cakes of the Nazirite-offering must consist of ten cakes; v. infra 78a.

(27) He baked only one cake of each of the four kinds prescribed (unleavened cakes, wafers, soaked cakes, and leavened cakes) instead of ten of each kind.

(28) From each set of ten cakes one cake was to be given to the priest as terumah.

(29) Lev. VII, 14.

(30) V. infra 77b.

(31) During the kneading of each kind a portion was taken as terumah and baked into a whole cake.

Menachoth 76b

is in agreement with the view of the following Tanna,¹ for it was taught: All meal-offerings which were made into too many or too few cakes are valid, excepting the Showbread and the griddle-cakes of the High Priest. Others say, Excepting also the cakes of the thank-offering and of the Nazirite-offering.

R. Huna said, If for the meal-offering baked in the oven one baked only one cake,² it is sufficient. Why? Because the word 'unleavened' is written defectively [in Scripture].³ R. Papa demurred, is this so only because 'unleavened' is written defectively, but had 'unleavened' not been written defectively it would not be so? Behold with regard to the cakes of the thank-offering the word 'unleavened'⁴ is not written defectively, nevertheless R. Tobi b. Kisna said in the

name of Samuel that if for the cakes of the thank-offering one baked only four cakes [instead of forty] it was sufficient! — That statement [of R. Tobi b. Kisna] is at variance with this.

MISHNAH. THE 'OMER CONSISTED OF ONE TENTH [OF AN EPHAH OF FLOUR] TAKEN FROM THREE SE'AHs;⁵ THE TWO LOAVES CONSISTED OF TWO TENTHS TAKEN FROM THREE SE'AHs; AND THE SHEWBREAD CONSISTED OF TWENTY-FOUR TENTHS TAKEN FROM TWENTY-FOUR SE'AHs.

GEMARA. [THE 'OMER, etc.] Why so?— Since it was of the new produce and of barley,⁶ a tenth of the finest flour could only be obtained out of three se'ahs.

THE TWO LOAVES CONSISTED OF TWO TENTHS TAKEN FROM THREE SE'AHs. Since it was of wheat, even though it was of the new produce, two tenths of the finest flour could be obtained out of three se'ahs.

THE SHEWBREAD CONSISTED OF TWENTY-FOUR TENTHS TAKEN FROM TWENTY-FOUR SE'AHs. Why so? — Since it was of wheat and of the old produce, one tenth of the finest flour could be obtained out of one se'ah. Our Rabbis taught: In all meal-offerings if the number of tenths was increased or diminished,⁷ it is invalid; if the number of se'ahs⁸ was increased or diminished, it is valid.⁹

MISHNAH. THE 'OMER¹⁰ WAS SIFTED THROUGH THIRTEEN SIEVES, THE TWO LOAVES THROUGH TWELVE, AND THE SHEWBREAD THROUGH ELEVEN. R. SIMEON SAYS, THERE WAS NO PRESCRIBED NUMBER FOR THEM,¹¹ BUT THEY BROUGHT FINE FLOUR AND SIFTED IT AS MUCH AS WAS NECESSARY, AS IT IS SAID, AND THOU SHALT TAKE FINE FLOUR AND BAKE IT:¹² [IT MAY NOT BE BAKED]

MENOSCHOS III – 59a-86a

UNTIL IT IS SIFTED AS MUCH AS IS NECESSARY.¹³

GEMARA. Our Rabbis taught: [It was sifted] through a fine sieve and then a coarse one, and again through a fine sieve and then a coarse one.¹⁴ R. Simeon son of Eleazar says, There were thirteen sieves in the Temple, one on top of the other;¹⁵ the uppermost retained the bran and the nethermost retained the fine flour.

R. SIMEON SAYS, THERE WAS NO PRESCRIBED NUMBER FOR THEM. Our Rabbis taught: Fine flour and bake it:¹² this teaches that fine flour was to be taken.¹⁶ And how do we know that even grains of wheat may be brought?¹⁷ The text therefore states and thou shalt take', in any manner. I might think that this is so even in regard to all other meal-offerings;¹⁸ therefore the text states, 'It'. This is so here, having regard to sparing [expense]. What is meant by having regard to sparing'? — Said R. Eleazar, The Torah wished to spare Israel unnecessary expense.¹⁹ Where is this indicated? For it is written, And thou shalt give the congregation and their cattle drink.²⁰

CHAPTER VIII

MISHNAH. THE THANK-OFFERING REQUIRED FIVE SE'AH'S [OF FLOUR], JERUSALEM MEASURE, WHICH ARE SIX SE'AH'S WILDERNESS MEASURE;²¹ THIS BEING EQUIVALENT TO TWO EPHAHS (FOR AN EPHAH IS THREE SE'AH'S) OR TO TWENTY TENTHS [OF AN EPHAH], TEN FOR THE LEAVENED CAKES AND TEN FOR THE UNLEAVENED.²²

(1) Samuel, in whose name R. Tobi b. Kisna reported the statement, accepts the view of the first Tanna in the following Baraitha.

(2) Instead of ten cakes.

(3) Lev. II, 4. The word מצה, being written defectively, i.e., without the waw, is interpreted as though it were in the singular.

(4) Lev. VII, 12. The word מצות is written plene and is obviously in the plural.

(5) In order to obtain one tenth of an ephah of the finest flour one whole ephah (three se'ahs equal one ephah) of barley was reaped, which was ground, sifted and resifted until reduced to a tenth. V. supra 63b.

(6) For there is more offal and bran in fresh corn than in dry, and so too there is more refuse in barley than in wheat.

(7) I.e., the prescribed number of tenths for the meal-offering which accompanied the animal offerings (three tenths for a bullock, etc.) was increased or reduced (so Rashi MS. and Tosaf.). Another explanation is: the tenth measure was filled to overflowing, or it was not quite full.

(8) Out of which the 'Omer, or the Two Loaves, or the Showbread was taken.

(9) For Scripture only prescribes the quantity of flour to be offered but not the quantity of grain out of which the measure of flour was to be obtained.

(10) I.e., the flour for the 'Omer-offering.

(11) Adopting the reading לא היה להן קצבה R. Simeon clearly refers to all that has been stated previously in this and in the preceding Mishnah; accordingly it was not essential to sift the flour in a prescribed number of sieves, or to take it out of a prescribed number of se'ahs, so long as fine flour was obtained (Bartinoro). In the separate editions of the Mishnah the reading is לא היה לה קצבה; accordingly R. Simeon refers only to the number of siftings prescribed for the Showbread (Rashi MS.).

(12) Lev. XXIV, 5.

(13) But it is immaterial through how many sieves the flour had passed.

(14) A coarse sieve (i.e., which has a netting of large meshes), when sifting the ground grain, lets through the flour and retains the bran, whilst a fine sieve retains the flour and lets through the fine dust only. Here the grain was sifted thirteen times, the first time in a fine sieve and the second time in a coarse one. The third time it was sifted again in the same fine sieve as before and the fourth time in the same coarse sieve as before; thus only two sieves were in use (R. Gershom and Rashi). According to Rashi MS. and Tosaf., thirteen sieves were used of various sizes, the last being the finest of all. On this interpretation the statement of R. Simeon son of R. Eleazar which follows merely elucidates the view of the first Tanna.

(15) The sieve below being of finer texture and of smaller meshes than the one above it.

(16) I.e., finely sifted flour was to be bought in the market for the purpose.

(17) And ground and sifted in the Temple.

MENOCHOS III – 59a-86a

(18) That they may buy wheat and grind it and sift it in the Temple. In this way much expense would be saved.

(19) V. Sifra on Lev. XIV, 36. As the Showbread was a regular weekly offering it was permitted to buy wheat and have it prepared in the Temple so as to save expense.

(20) Num. XX, 8. The miracle of providing water for the Israelites in the wilderness was performed also out of consideration for the saving of the cattle. This last passage, 'Where is this indicated... is omitted in all MSS.

(21) The measures which were used by the Israelites in the wilderness were later on, after the settlement in the Land of Israel, enlarged, so that the measure which was originally equal to six se'ahs was later regarded as being equal to five. In other words, each se'ah was increased by one fifth, which in Rabbinic parlance is called 'a sixth from the outside'.

(22) Forty cakes were required for the thank-offering, ten leavened and thirty unleavened. The latter consisted of three kinds, ten cakes of each kind.

Menachoth 77a

'TEN FOR THE LEAVENED CAKES', ONE TENTH FOR EACH CAKE; 'AND TEN FOR THE UNLEAVENED. OF UNLEAVENED CAKES THERE WERE THREE KINDS: CAKES, WAFERS, AND SOAKED CAKES,¹ THUS THERE WERE THREE AND A THIRD TENTHS OF FLOUR FOR EACH KIND, THREE CAKES TO EVERY TENTH. BY JERUSALEM MEASURE THEY WERE THIRTY KABS,² FIFTEEN FOR THE LEAVENED CAKES AND FIFTEEN FOR THE UNLEAVENED. 'FIFTEEN FOR THE LEAVENED CAKES', ONE KAB AND A HALF FOR EACH CAKE; 'AND FIFTEEN FOR THE UNLEAVENED'. OF THE UNLEAVENED CAKES THERE WERE THREE KINDS: CAKES, WAFERS, AND SOAKED CAKES, THUS THERE WERE FIVE KABS FOR EACH KIND, TWO CAKES TO EVERY KAB.

GEMARA. THE THANK-OFFERING REQUIRED FIVE SE'AHs [OF FLOUR]. JERUSALEM MEASURE, etc. Whence do we know this?³ — R. Hisda said, From the verse, The ephah and the bath shall be of one

measure;⁴ as the bath is three se'ahs so the ephah is three se'ahs. But whence do we know this of the bath? Shall we say, because it is written, That the bath may contain the tenth part of a homer?⁵ Then the same is said of the ephah too, And the ephah the tenth part of a homer!⁶ But [you will say that the latter verse proves nothing as] we do not know how much the homer is, then the same applies to the former verse, since we do not know how much the homer is! —

Rather it is derived from the following verse: And the set portion of oil, of the bath of oil, shall be the tenth part of a bath out of the cor, which is ten baths, even a homer; for ten baths are a homer.⁷ Samuel said,⁸ They may not increase the measures⁹ by more than a sixth, neither the coins by more than a sixth, and the profits [on necessary foods] must not exceed a sixth.¹⁰ What is the reason [for his first statement]? If it be said that the market prices will rise [above due proportions on that account].¹¹ then [for the same reason] it should not [be permitted to increase] even by a sixth! And if it be said that it is so on the score of overreaching, so that the transaction be not annulled,¹² but surely Raba said, On account of any fraud in measure, weight or number, even though it is less than the standard of overreaching, one can retract.¹³ And if it be said [that the reason why no more than a sixth may be added to weights is] that the dealer may not incur any loss,¹⁴ [it will be retorted]. Is [then the whole purpose of the law that] he be guarded against loss? Is he not entitled to make any profit? 'Buy and sell [at no profit] merely to be called a merchant!' —

Rather, said R. Hisda, Samuel found a Scriptural text and expounded it: And the shekel shall be twenty gerahs; twenty shekels, five and twenty shekels, ten and five shekels shall be your maneh.¹⁵ Was then the maneh two hundred and forty denars?¹⁶ But three things are to be inferred from this: it is to be inferred that the Temple maneh was

MENACHOS III – 59a-86a

doubled;¹⁷ it is to be inferred that they may increase the measures¹⁸ but that they may not increase them by more than a sixth; and it is to be inferred that the sixth is added 'from the outside'.¹⁹ Rabina said, This²⁰ may be proved from our Mishnah which states: **THE THANK-OFFERING REQUIRED FIVE SE'AHs [OF FLOUR], JERUSALEM MEASURE, WHICH ARE SIX SE'AHs WILDERNESS MEASURE.**²¹ This obviously proves it.

(1) Cf. Lev. VII, 12.

(2) I.e., the five se'ahs were equivalent to thirty kabs, for six kabs equal one se'ah.

(3) That an ephah is three se'ahs.

(4) Ezek. XLV, 11.

(5) Ibid. The homer is thirty se'ahs.

(6) Ibid. Hence there is no need to infer the ephah from the bath.

(7) Ibid. 14. The cor was known to be thirty se'ahs, thus this verse informs us that the bath was a tenth part of the cor, i.e., three se'ahs; and the ephah and the bath were of one measure (ibid. 11).

(8) V. B.B. 90a.

(9) Even though all the townspeople have agreed to the change.

(10) Lit., 'he who profits must not profit more than a sixth'.

(11) For merchants, learning of the increase in the weights and measures of this town, will immediately raise the prices of commodities, and taking advantage of this will raise them higher than what is warranted by the change in the measures.

(12) It is established that in any transaction if an error is made which is more than a sixth of the value of the goods the transaction is void; if it is exactly a sixth, the transaction stands but the amount of error must be returned; if less than a sixth the transaction is valid and there is no redress. V. B.M. 50b. Now if weights and measures may be increased by more than a sixth, then traders who were ignorant of the increase and who sell their goods in the present measures at the former prices would be defrauded by more than a sixth, with the effect that all their dealings would be declared void. In order to obviate this the increase in weights and measures was limited to a sixth.

(13) V. supra 69a and B.B. 90a. Since in such cases one can retract even when the error was less than one sixth, nothing is gained by limiting the increase to a sixth.

(14) A dealer is allowed to make a profit of one sixth on a transaction. By limiting the increase to a

sixth a dealer who sells his goods ignorant of the increase will at most lose his profit but will not suffer any loss.

(15) Ezek. XLV, 12.

(16) The maneh according to Ezekiel was 20 + 25 + 15 shekels = 60 shekels = 240 denars (one shekel = 4 denars), whereas elsewhere throughout the Talmud it is established that the maneh was 25 shekels = 100 denars.

(17) I.e., consisting of 200 denars.

(18) And also the value of coins.

(19) So as to add a sixth 'from the outside' the original was divided into five parts, and another part of equal value, making a sixth one, was added to it. Thus the maneh consisted of 240 denars.

(20) That the sixth was added 'from the outside'.

(21) It is evident that the Jerusalem se'ah was made to equal one se'ah and a fifth of the wilderness se'ah, thus there was an increase of one fifth, which in Rabbinic parlance is 'one sixth from the outside'.

Menachoth 77b

MISHNAH. FROM EACH KIND [THE PRIEST] TOOK ONE TENTH PART AS TERUMAH,¹ AS IT IS SAID, AND OF IT HE SHALL PRESENT ONE OUT OF EACH OFFERING AS TERUMAH UNTO THE LORD.² 'ONE': [MEANS] THAT HE MAY NOT TAKE WHAT IS BROKEN. 'OUT OF EACH OFFERING'- THAT EACH KIND OF OFFERING SHALL BE EQUAL,³ [AND] THAT HE MUST NOT TAKE [THE TERUMAH] FROM THE ONE KIND OF OFFERING INSTEAD OF FROM ANOTHER.⁴ IT SHALL BE THE PRIEST'S THAT SPRINKLETH THE BLOOD OF THE PEACE-OFFERINGS;² BUT THE REST WAS CONSUMED BY THE OWNER.

GEMARA. Our Rabbis taught: 'And of it he shall present': — of all of them joined together.⁵ One: — that he may not take what is broken. Out of each offering: — that each kind of offering shall be equal. [and] that he must not take [the terumah] from the one kind of offering instead of from another. 'As terumah unto the Lord': but I know not how much it [must be]. I can, however, infer it by the following argument: it is written here 'terumah', and it is written there in connection with the terumah of the tithe

MENOSCHOS III – 59a-86a

‘terumah’;⁶ as there it is one part in ten, so here it is one part in ten.

Or perhaps argue this way: it is written here ‘terumah’, and it is written there in connection with the first-fruits ‘terumah’;⁷ as there there is no fixed measure, so here there is no fixed measure. Let us then see to which of the two is this case most similar. We may infer the terumah which is not followed by any other offering from that terumah which is not followed by any other offering,⁸ but let not the first-fruits enter the argument since they are followed by other offerings.⁹

Or perhaps argue this way: we may infer the terumah which must be eaten in a holy place from that terumah which must also be eaten in a holy place,¹⁰ but let not the terumah of the tithe enter into the argument seeing that it may be eaten in any place. The text therefore stated here, Of it... as terumah unto the Lord,¹¹ and also there in connection with the terumah of the tithe, Of it as the terumah of the Lord,¹² for the purpose of gezerah shawah.¹³ We have thus learnt that the terumah must be one part in ten, but I know not of what measure shall the [leavened] cakes be. I can, however, infer it by the following argument: it is written here bread’,¹⁴ and it is also written in connection with the Two Loaves ‘bread’;¹⁵ as there there was one tenth [of an ephah] for each loaf, so here there must be one tenth for each cake.

Or perhaps argue thus: it is written here ‘bread’, and also there in connection with the Showbread it is written ‘bread’;¹⁶ as there there were two tenths for each loaf, so here there must be two tenths for each cake. Let us then see to which of the two is this case most similar. We may infer a meal-offering which is leavened and offered with an animal-offering¹⁷ from another meal-offering which is leavened and is offered with an animal-offering,¹⁸ but let not the Showbread enter into the argument seeing that it is

neither leavened nor offered with an animal-offering.

Perhaps argue this way: we may infer a meal-offering¹⁹ which may be offered either of the produce of the Land [of Israel] or of that grown outside it, from the new or the old produce, from that meal-offering²⁰ which also may be offered either of the produce of the Land or of that grown outside it, from the new or the old produce; but let not the Two offering of the produce and it was followed by the ‘Great Terumah’ and the various tithes. Loaves enter into the argument seeing that it must be offered of the new produce and of that grown in the Land. The text therefore stated, Ye shall bring out of your dwellings two wave-loaves.²¹ Now the text need not have stated ‘Ye shall bring’;²² why did it state ‘Ye shall bring’? [To teach that] every other offering that you make of a similar kind²³ shall be like this; as in this case there was one tenth [for each loaf]. so [in the other case] there must be one tenth [for each cake]. Should we not [rather say]. as in this case there were two tenths in all, so here there shall be two tenths in all?²⁴ The text therefore stated, They shall be.²⁵ We have now learnt that ten [tenths] are required for the leavened [cakes], but whence do we know that ten [tenths] are required for the unleavened [cakes]? The text therefore stated, With cakes of leavened bread;²⁶ thus one must bring unleavened [cakes] in the same measure as the leavened [cakes] —

It is thus established that there were twenty tenths for the cakes of the thank-offering, ten for the leavened [cakes] and ten for the unleavened. I might think that the ten [tenths] for the unleavened [cakes] were all of one kind [of cake]; the text therefore stated, If he offer it for a thanksgiving, then he shall offer with the sacrifice of thanksgiving unleavened cakes mingled with oil, and unleavened wafers anointed with oil, and cakes mingled with oil of fine flour soaked.²⁷ Thus there were three and a third tenths for

MENOCHOS III – 59a-86a

each kind, three cakes to every tenth; and thus there were forty cakes for the thank-offering. Four [cakes] were taken and given to the priest, and the rest was consumed by the owner. The Master said, 'And of it he shall present, of all of them joined together'. Consider then the verse, And all the fat thereof shall he take off from it;²⁸ how can one apply here the ruling 'of all joined together'?²⁹ —

[One must accept] the ruling of R. Hisda in the name of Abimi. For R. Hisda said in the name of Abimi, The flesh may not be cut up before the sacrificial portions have been taken off.³⁰ The Master said, 'It is written here "terumah", and it is written there in connection with the terumah of the tithe "terumah".' Perhaps we should infer it from the terumah at Midian!³¹ — We may infer the terumah that is binding for all times from that terumah which is also binding for all times, and let not the terumah at Midian enter into the argument since it was not binding for all times. Perhaps we should infer it from the terumah stated in connection with the dough-offering!³² —

A Tanna of the School of R. Ishmael taught: We may infer that matter in connection with which there is written, Of it... as terumah unto the Lord,³³ from that matter in connection with which there is also written, Of it as the terumah of the Lord;³⁴ hence the terumah of the dough-offering is excluded since there is not stated in connection therewith 'Of it as terumah unto the Lord'. Raba raised this question: By [eating] the terumah of the cakes of the thank-offering does one incur the penalty of death [at the hands of heaven] or the liability of the added fifth or not?³⁵ Since it has been compared with the terumah of the tithe, then in this respect too it is like the terumah of the tithe; or perhaps the Divine Law has excluded [this terumah] by the expressions 'therein'³⁶ and 'the fifth part thereof'.³⁶ Does it render [other cakes into which it may fall] subject to

the law of terumah³⁷ or not? — These questions remain undecided.

The Master said, The text therefore stated, 'They shall be'. How is this³⁸ intimated in the text?

- (1) תרומה here meaning a select portion, or gift.
- (2) Lev. VII, 14.
- (3) There must be an equal number of cakes, namely ten, of each kind.
- (4) The priest shall not take two cakes from one kind and none from another.
- (5) When the offering is about to be taken all the cakes must be together in one vessel.
- (6) Num. XVIII, 26. The Levites were to offer a tenth part of the tithe which they had received from the people to the priest.
- (7) Cf. Deut. XII, 17: 'And the terumah of thy hand', which expression, according to Rabbinic interpretation, refers to the first-fruits. There was no prescribed measure for the first-fruits, v. Pe'ah I, 1.
- (8) The terumah from the cakes of the thank-offering and the terumah of the tithe given by the Levites were both final offerings.
- (9) The offering of the first-fruits was the first
- (10) The terumah of the cakes of the thank-offering and the offering of first-fruits must be eaten within the walls of Jerusalem.
- (11) Lev. VII, 14.
- (12) Num. XVIII, 26.
- (13) V. Glos. As the offering from the tithe was one tenth so the terumah of the cakes must be one tenth.
- (14) Lev. VII, 13.
- (15) Ibid, XXIII, 17.
- (16) Ibid, XXIV, 7.
- (17) The cakes of the thank-offering are offered accompanying the animal-sacrifice and a part thereof is leavened.
- (18) The Two Loaves are leavened and are offered with the two lambs on the Feast of Weeks.
- (19) The cakes of the thank-offering.
- (20) The Showbread.
- (21) Lev. XXIII, 17.
- (22) For in the preceding verse (16) Scripture has already stated, Ye shall present a new meal-offering.
- (23) I.e., when leavened cakes are offered; this includes the thank-offering.
- (24) I.e., two tenths for the ten leavened cakes.
- (25) Ibid, XXIII, 17. V. infra as to the derivation of the law from this expression.
- (26) Ibid, VII, 13. In addition to, and in the same measure as, the unleavened cakes mentioned in the preceding verse

MENOSCHOS III – 59a-86a

- (12) there must be leavened cakes.
(27) Ibid. 12.
(28) Ibid. IV, 19.
(29) For it is assumed that the flesh of the animal is already cut up before the fat is taken off. V., however, Tosaf. s.v. יאזא
(30) Thus when the fat is taken off the animal is 'joined together'.
(31) That portion of the spoil which was given to Eleazar the priest after the battle with the Midianites is described as 'terumah', and consisted of a five hundredth part. Cf. Num. XXXI, 28, 29.
(32) Cf. Num. XV, 19. The portion to be given as dough-offering is, according to the Rabbis, one twenty-fourth.
(33) Lev. VII, 14, with reference to the cakes of the thank-offering.
(34) Num. XVIII, 26, with reference to the terumah of the tithe.
(35) If a non-priest deliberately ate terumah of produce (either the great terumah or the terumah of the tithe) he would incur the penalty of death at the hands of Heaven, and if inadvertently he would be liable to make restitution and add a fifth to the repayment. The question raised is whether these rules apply to the cakes given to the priest as terumah from the thank-offering or not.
(36) Lev. XXII, 9 and 14 respectively. These expressions are used specifically
(37) And the entire mixture is forbidden to non-priests like the terumah of produce.
(38) That ten tenths are required for leavened cakes of the thank-offering.

Menachoth 78a

— R. Isaac b. Abdimi said, Because it is written, They shall be.¹ Perhaps it means ten kapizas!² — Raba answered, The verse speaks of tenths. 'We have now learnt that ten [tenths] are required for the leavened [cakes], but whence do we know that ten [tenths] are required for the unleavened [cakes]? The text therefore stated, With cakes of leavened bread; thus one must bring unleavened [cakes] in the same measure as the leavened [cakes]'. But may that which has itself been inferred by a hekkesh³ become the basis for another inference to be made from it again by a hekkesh?⁴ -[The original rule was derived] from itself and [from] something else,⁵ and [any rule derived] from itself and [from] something of the terumah of

produce, and the suffix in each case excludes every other terumah. else is not regarded as a hekkesh.⁶ This is well according to him who does not regard this as a Hekkesh, but what can be said according to him who regards this as a hekkesh?⁷ — The expression 'ye shall bring' is an amplifying text.⁸

MISHNAH. THE CONSECRATION [MEAL-OFFERING]⁹ CONSISTED OF [UNLEAVENED CAKES] LIKE THE UNLEAVENED CAKES OF THE THANK-OFFERING. NAMELY CAKES, WAFERS, AND SOAKED CAKES. THE NAZIRITE MEAL-OFFERING¹⁰ CONSISTED OF TWO THIRDS OF THE UNLEAVENED CAKES OF THE THANK-OFFERING. NAMELY CAKES AND WAFERS. BUT NOT SOAKED CAKES; THUS THERE WERE TEN KABS¹¹ BY JERUSALEM MEASURE. WHICH ARE SIX TENTHS AND SOMETHING OVER.¹²

GEMARA. Whence is it derived?¹³ — Said R. Hisda in the name of R. Hama b. Guria, It is written, And out of the basket of unleavened bread that was before the Lord, he took one unleavened cake, and one oil-cake, and one wafer.¹⁴ Now 'cake' means cake, and 'wafer' means wafer; but what is meant by 'oil-cake'? Surely it means a cake soaked in oil. R. Awia demurred, perhaps it means a cake of oil!¹⁵ — Rather it is derived from the exposition of R. Nahman b. R. Hisda in the name of R. Tabla. [It is written,] This is the offering of Aaron and of his sons, which they shall offer unto the Lord in the day when he is anointed.¹⁶ What do we learn in regard to 'his sons' from the offering 'when he is anointed'? It is that the offering at the initiation [of the ordinary priest] shall be like the offering at the anointing [of the High priest]; as at the anointing [of the High priest] there was an offering of soaked cakes,¹⁷ so at the initiation [of the ordinary priest] there was an offering of soaked cakes.¹⁸

R. Hisda said, When the High Priest is inaugurated into the service he requires two

tenths of an ephah for offerings, one on account of his anointing¹⁹ and the other on account of his initiation.¹⁹ Mar son of R. Ashiz²⁰ said, He requires three [tenths]. But they do not in fact differ, for the former refers to the case where he had already been serving in the Temple as an ordinary priest, and the latter to the case where he had not served in the Temple as an ordinary priest.²¹

THE NAZIRITE MEAL-OFFERING CONSISTED OF TWO THIRDS OF THE UNLEAVENED CAKES OF THE THANK-OFFERING. Our Rabbis taught: ‘His peace-offerings’²² includes the peace-offering of the Nazirite, that it requires ten kabs [of flour], Jerusalem measure, and one quarter log of oil.²³ I might think that [it includes the Nazirite-offering] in regard to all that is mentioned in the passage,²⁴ the text therefore stated, Unleavened.²⁵ How is this implied? —

R. Papa answered, [It²⁶ includes for the Nazirite-offering] only those kinds which are specified by the term ‘unleavened’, thus excluding the soaked cakes which are not specified by the term ‘unleavened’.²⁷ A Tanna of the School of R. Ishmael taught: ‘A basket of unleavened bread’²⁸ is a general statement, ‘cakes’ and ‘wafers’ are particular instances; we thus have a general statement followed by the enumeration of particular instances, in which case the scope of the general statement is limited to the particulars specified; thus only cakes and wafers, but nothing else.

(1) Heb. תהיינה, written plene, with two ‘yods’. The ‘yod’ has the numerical value of ten, thus intimating in this verse ten tenths; and as this measure cannot possibly refer to the Two Loaves, for it is expressly stated in this verse that the Two Loaves consist of two tenths, it can only refer to the leavened cakes of the thank-offering, which were contemplated by the superfluous expression at the beginning of the verse ‘ye shall bring’, v. supra p. 463. V. Tosaf. s.v. אמר for a variant text and a further interpretation.

(2) A measure of capacity equal to half a kab.

(3) The rule that the ten leavened cakes of the thank-offering shall consist of ten tenths, a tenth

for every cake, was established by a comparison (Hekkesch, היקש v. Glos.) with the Two Loaves, intimated in the verse by the expression ‘ye shall bring’.

(4) Whereby it is sought to infer from the leavened cakes, by reason of the Hekkesch implicit in vv. 12 and 13; that the unleavened cakes shall also consist of ten tenths. The rule is well established that in matters appertaining to sacrifice one may not draw an inference by a Hekkesch from that which has itself been inferred by a Hekkesch. V. Zeb. 49b.

(5) The original inference that the leavened cakes of the thank-offering shall consist of ten tenths, a tenth for every cake, was not entirely drawn from the case of the Two Loaves, inasmuch as the number of cakes, namely ten, is deemed to be expressly stated in connection with the leavened cakes of the thank-offering by virtue of the expression ‘they shall be’ (v. supra n. 3). Accordingly the leavened cakes supplied the rule that there must be ten cakes (i.e., derived ‘from itself’) and the Two Loaves supplied the rule that there must be a tenth for each cake (i.e., derived ‘from something else’); the result obtained is therefore not regarded as one obtained entirely by a Hekkesch.

(6) Consequently from such a Hekkesch other matters can be inferred.

(7) V. Zeb. 57a and Yoma 57a.

(8) This expression stated in connection with the Two Loaves is, as has been said supra p. 463, superfluous there, and has been interpreted as applying to the leavened cakes of the thank-offering; and as in this verse the measure of a tenth per cake is clearly intimated, it is established without a Hekkesch that there must be ten tenths for the leavened cakes. Accordingly a further inference, namely in respect of the unleavened cakes, may be drawn from this.

(9) Offered at the consecration of Aaron and his sons in the priesthood, v. Lev. VIII, 26.

(10) Cf. Num. VI, 15.

(11) Which is two thirds of the fifteen kabs required for the unleavened cakes of the thank-offering.

(12) The kab was equivalent to two thirds of a tenth, accordingly ten kabs equaled six and two thirds tenths.

(13) That the consecration meal-offering consisted also of cakes soaked in oil.

(14) Lev. VIII, 26.

(15) I.e., a cake of congealed oil. The meaning and etymology of this word אנתה are both doubtful.

(16) Lev. VI, 13. This verse clearly points to some connection between the offering of ‘his sons’, i.e., the meal-offering brought by ordinary priests at their initiation into service, and that of Aaron

MENOCHOS III – 59a-86a

‘when he is anointed’ and which was offered daily by the High Priest.

(17) This is expressly stated, *ibid.* 14.

(18) And the consecration offering is identical with the initiation offering of the priests.

(19) As High Priest.

(20) In MS.M., Tosaf., and Sh. Mek.: Mar. b. Hiyya.

(21) In this case three offerings were necessary: one by reason of his initiation into the priestly service, the second by reason of his initiation into service as the High Priest, and the third by reason of his anointing as High Priest.

(22) Lev. VII, 15, stated in connection with the thank-offering.

(23) Since the Nazirite-offering consisted of two kinds of unleavened cakes only, it required the same quantity of flour used for these two kinds in the thank-offering, namely ten kabs, and the same quantity of oil used for these two kinds, namely one quarter log.

(24) That the Nazirite-offering should have also cakes soaked in oil.

(25) Num. VI, 15, in connection with the Nazirite-offering. This term implies the exclusion of soaked cakes.

(26) The expression ‘his peace-offerings’.

(27) This term describes the cakes and the wafers prescribed for the thank-offering, Lev. VII, 12; accordingly the unleavened cakes spoken of in the Nazirite-offering signify these same cakes.

(28) Num. VI, 15.

Menachoth 78b

MISHNAH. IF A MAN SLAUGHTERED THE THANK-OFFERING WITHIN [THE TEMPLE COURT] AND THE BREAD THEREOF WAS OUTSIDE THE WALL [AT THE TIME]. THE BREAD IS NOT HALLOWED. IF HE SLAUGHTERED IT BEFORE [THE LOAVES] HAD BECOME CRUSTED IN THE OVEN, OR EVEN IF ALL EXCEPT ONE HAD BECOME CRUSTED, THE BREAD IS NOT HALLOWED.

GEMARA. What does ‘OUTSIDE THE WALL’ mean? — R. Johanan says, Outside the wall of Beth Page;¹ but Resh Lakish says, Outside the wall of the Temple court. ‘Resh Lakish says. Outside the wall of the Temple court’, for we must interpret ‘al in the sense of ‘near to’.² ‘R. Johanan says, Outside the wall of Beth page’, but [if it was] outside the wall of the Temple court it would be

hallowed, for we need not interpret ‘al in the sense of ‘near to’. But have they not differed in this matter once already? For we have learnt:³ If a man slaughters the Passover-offering with leaven in his possession, he transgresses a negative command.⁴ R. Judah says. Also [if he so slaughters] the daily offering.⁵ Whereupon Resh Lakish said, He is never culpable unless the leaven belongs to him who slaughters or to him who sprinkles the blood or to any one of the members of the company,⁶ and it is also with him in the Temple court;⁷ but R. Johanan said, Even if it is not with him in the Temple court! —

Both disputes are necessary. For if it were stated only there [in connection with the Passover-offering, I would say that] only there does R. Johanan [hold him culpable even though the leaven was not with him], for wherever it happens to be it is a prohibited matter,⁸ but as regards the hallowing of the bread I would say that he concurs with Resh Lakish, that if it is within the Temple court it is hallowed, but if outside it is not hallowed. And if it were stated only here I would say that only here does Resh Lakish [insist that the bread in order to be hallowed must be within the Temple court], but there I would say that he concurs with R. Johanan [that he is culpable even though the leaven is not with him]. Hence both disputes are necessary. There has been taught [a Baraita] in accord with R. Johanan's view. If a man slaughtered the thank-offering within [the Temple court] and the bread thereof was outside the wall of Beth Page [at the time], the bread is not hallowed.

IF HE SLAUGHTERED IT BEFORE [THE LOAVES] HAD BECOME CRUSTED IN THE OVEN [...THE BREAD IS NOT HALLOWED]. Whence is this derived? — From the following which our Rabbis taught: With cakes of leavened bread he shall present:⁹ this teaches that the bread is hallowed only if [the loaves] had become crusted in the oven¹⁰ [before the slaughtering

MENOSCHOS III – 59a-86a

of the sacrifice]. ‘He shall present his offering with the slaughtering’:¹¹ this teaches that the bread is hallowed only by the slaughtering of the sacrifice.’ The slaughtering of the thank-offering’:¹¹ this teaches that if he slaughtered [the thank-offering] under the name of another offering, the bread is not hallowed.

Our Rabbis taught:¹² One fulfils one's obligation [on the Passover] with unleavened bread partially baked, and with unleavened bread prepared in a stewing pot. What is meant by ‘unleavened bread partially baked’? — Rab Judah explained in the name of Samuel, It is [any unleavened bread which] when broken has no threads dragging from it.

Raba said, And the same rule applies to the loaves of the thank-offering.¹³ Surely this is obvious, for here the expression ‘bread’ is used and there too the expression ‘bread’ is used!¹⁴ — You might think that since the Divine Law stated, One,¹⁵ intimating that he may not take what is broken, such¹⁶ is regarded as broken;¹⁷ he therefore teaches us [that it is not so].

It was stated:¹⁸ If the thank-offering was slaughtered accompanied by eighty loaves,¹⁹ Hezekiah ruled, Forty out of the eighty are hallowed;²⁰ and R. Johanan ruled, Not even forty out of the eighty are hallowed.²¹ Said R. Zera, All agree that if he declared, ‘Let forty out of the eighty be hallowed’, they are hallowed; like- wise If he declared, ‘The forty shall not be hallowed unless all the eighty are hallowed’, they are not hallowed; they differ only where no specific statement was made: one Master²² is of the opinion that his intention²³ was to ensure the prescribed number,²⁴ while the other Master²⁵ holds the view that his intention was to provide a large offering.²⁶

Abaye said,²⁷ They differ as to whether vessels of ministry hallow in the absence of the [owner's] intention;²⁸ one Master is of the

opinion that vessels of ministry hallow even in the absence of the [owner's] intention,²⁹ while the other Master holds the view that vessels of ministry do not hallow in the absence of the [owner's] intention.³⁰

R. Papa said, All agree that vessels of ministry hallow in the absence of the [owner's] intention, but they differ only as to the knife; one Master³¹ is of the opinion that the knife hallows just as any vessel of ministry, while the other Master³² holds the view that it does not hallow like any other vessel of ministry, since it has no receptacle.

Others quote [R. Papa] in this form: R. Papa said, All agree that vessels of ministry only hallow with the [owner's] intention, but they differ as to the knife; one Master³¹ holds that the knife is more efficacious than any other vessel of ministry, seeing that it hallows even though it has no receptacle;³³ whilst the other Master³² holds that the knife is no more efficacious than any other vessel of ministry.

MISHNAH. IF HE SLAUGHTERED THE THANK-OFFERING [INTENDING TO EAT THEREOF] OUTSIDE ITS PROPER TIME³⁴ OR OUTSIDE ITS PROPER PLACE,³⁵ THE BREAD IS [NEVERTHELESS] HALLOWED.³⁶ IF HE SLAUGHTERED IT AND IT WAS FOUND TO BE TREFAH, THE BREAD IS NOT HALLOWED.³⁷ IF HE SLAUGHTERED IT AND IT WAS FOUND TO HAVE A BLEMISH, R. ELIEZER SAYS, THE BREAD IS [NEVERTHELESS] HALLOWED. BUT THE SAGES SAY, IT IS NOT HALLOWED. IF HE SLAUGHTERED IT UNDER ANOTHER NAME, AND SO, TOO, IF THE RAM OF THE CONSECRATION-OFFERING OR THE TWO LAMBS OFFERED AT PENTECOST WERE SLAUGHTERED UNDER ANOTHER NAME, THE BREAD IS NOT HALLOWED.

GEMARA. In accordance with whose view is the ruling in our Mishnah?-It is in accordance with the view of R. Meir; for it was taught: This is the general rule: If the

MENOSCHOS III – 59a-86a

disqualifying defect befell [the thank-offering] before the slaughtering, the bread is not hallowed; (if after the slaughtering, the bread is hallowed).³⁸ Thus if he slaughtered it [intending to eat thereof] outside its proper time or outside its proper place, the bread is hallowed; if he slaughtered it and it was found to be Trefah, the bread is not hallowed.

(1) A fortified suburb of Jerusalem (Jast.). It formed the boundary of the city, hence 'outside the walls of Beth Page' is identical with outside Jerusalem. V. Neubauer, Geog. 147-149. Maim. in his Com. on this Mishnah gives the interesting reading *בית בני*, explaining it as the place close to the Temple mount where the meal-offerings were prepared and baked. He thus connects this word with *בג*, Dan. I, 5, meaning food.

(2) The expression *על* 'al in the verse, With ('al) cakes of leavened bread he shall present his offering (Lev. VII, 13) implies that the cakes must be near the sacrifices, i.e., with it in the Temple court.

(3) Pes. 63b.

(4) The prohibition is: Thou shalt not slaughter the blood of My sacrifice' with ('al) leavened bread (Ex. XXIII, 18 and XXXIV, 25).

(5) I.e., he slaughters the evening daily offering of the fourteenth of Nisan whilst having leaven in his possession. This is also prohibited, according to R. Judah, as being implied in the expression 'My sacrifice'. V. Prec. n.

(6) Registered for this sacrifice.

(7) Resh Lakish holding that the term 'al in the verse quoted (v. n. 3) must be taken in the sense of 'near to'.

(8) Once the time for the removal of leaven has gone by.

(9) Lev. VII, 13. The additional words 'his offering with the slaughtering' are deleted by Sh. Mek. as anticipating the next interpretation; they are omitted by Rashi.

(10) For only then are the loaves regarded as *להם* 'bread'.

(11) Ibid.

(12) Pes. 37a.

(13) I.e., the loaves must already be baked as much as this in order to be hallowed by the slaughtering of the thank-offering.

(14) Cf. Lev. VII, 13 and Deut. XVI, 3. And surely what is regarded as bread for the Passover is regarded as bread for the thank-offering.

(15) Lev. VII, 14: And he shall present one out of each offering. V. supra p. 461.

(16) I.e., what is partially baked.

(17) Since it would fall to pieces when handled, and therefore is not regarded as sufficiently baked for the purposes of the thank-offering.

(18) Supra. 48a, 'Er. 50a, Kid. 51a.

(19) Instead of the prescribed forty.

(20) All the eighty loaves, however, must be eaten in conditions of sanctity since it is not known which are the forty hallowed loaves.

(21) And the offerer has not thereby fulfilled his obligation.

(22) Hezekiah.

(23) In bringing eighty loaves.

(24) If for some reason it should happen that as many as forty loaves become unfit or are lost, the remaining loaves should replace them. At no time, however, was it ever intended that more than forty loaves should be offered with the thank-offering.

(25) R. Johanan.

(26) But this is not permissible, hence none of the loaves are hallowed.

(27) The text is somewhat uncertain and the reading adopted is that of Rashi and Sh. Mek. and of many MSS. Cur edd. add at the beginning of Abaye's words: 'All agree that his intention was to provide a large offering'. Var. lec. to ensure the prescribed number'.

(28) The knife used for slaughtering the thank-offering is the vessel of ministry that hallows the loaves; but in this case as there are more than the prescribed number of loaves and there is no specific statement by the owner as to his intention, the question is whether the knife automatically hallows forty out of the eighty loaves or not.

(29) Hence forty loaves are hallowed; so Hezekiah.

(30) This is the view of R. Johanan. If it is assumed for the argument, as it is indeed stated in some texts (v. supra n. 9), that all hold that the owner's intention was to provide a large offering, then the expression *שלא מדעת* should be rendered 'against the owner's intention' and not 'in the absence of the owner's intention'.

(31) Hezekiah.

(32) R. Johanan.

(33) Accordingly it will also hallow even in the absence of the owner's intention.

(34) In this case the offering is Piggul ('rejected', 'abhorred'), and whosoever eats thereof incurs the penalty of kareth (v. Glos.).

(35) In this case the offering is invalid, and whosoever eats thereof incurs stripes but not the penalty of kareth.

(36) In accordance with the principle that if the offering first became invalid in the Temple at the time of the slaughtering the bread is hallowed. V. Gemara, and Zeb. 84a.

MENACHOS III – 59a-86a

(37) For this defect obviously befell it before the slaughtering, in fact, before it was brought in the Temple.

(38) This is omitted in all the MSS., and is not found in Tosef. Men. VIII, whence this Baraita is taken. The statement is in fact misleading for what it really means to imply is that if the disqualifying defect did not befall it before the slaughtering the bread is hallowed.

Menachoth 79a

If he slaughtered it and it was found to have a blemish, R. Eliezer says, The bread is hallowed; but R. Joshua says, It is not hallowed. So R. Meir. R. Judah said, R. Eliezer and R. Joshua do not dispute the ruling¹ that [if at the slaughtering there was an intention of eating thereof] outside its proper time the bread is hallowed,² or that if it was found to have a blemish the bread is not hallowed.³ They differ only where [there was an intention of eating thereof] outside its proper place; in this case R. Eliezer says, The bread is hallowed; and R. Joshua says, It is not hallowed.

R. Eliezer argued, Since [the intention to eat of the offering] outside the proper time is a disqualifying defect, and [the intention to eat thereof] outside the proper place is also a disqualifying defect: as in the former case the bread is nevertheless hallowed, so in the latter case, too, the bread is hallowed.

R. Joshua argued, Since [the intention to eat of the offering] outside its proper place is a disqualifying defect, and a blemish in the animal is also a disqualifying defect: as in the latter case the bread is not hallowed, so in the former, too, it is not hallowed.

R. Eliezer replied. I likened it to [the case where there was an intention to eat thereof] outside its proper time, but you likened it to the case of a blemish in the animal. Let us then see to which [of the two] is it more similar. If it is more similar to [the case where there was an intention to eat thereof] outside its proper time then we must infer it

from this, and if it is more similar to the case of the blemish in the animal then we must infer it from this. And so R. Eliezer began to argue as follows: We may infer that which is a defect by reason of the intention from that which is also a defect by reason of the intention, but we may not infer that which is a defect by reason of the intention from that which is a defect by reason of a physical blemish.

Thereupon R. Joshua began to argue as follows: We may infer a defect which does not involve the penalty of kareth from a defect which also does not involve the penalty of kareth,⁴ and let not [the intention to eat of the offering] outside its proper time enter into the argument since it is a defect which involves the penalty of kareth. Moreover, we should infer it from [the slaughtering of the offering] under another name,⁵ for this is a defect by reason of the intention and also does not involve the penalty of kareth. At this R. Eliezer was silent.⁶

Why is it, according to R. Meir's view, that where [the thank-offering] was slaughtered and was found to be Trefah [the bread is not hallowed, for] the defect is regarded as having befallen it before the slaughtering, and that where it was slaughtered and was found to have a blemish [the bread is, according to the ruling of R. Eliezer, hallowed. for] the defect is not regarded as having befallen it before the slaughtering? — [It refers only to such blemishes as] a film over the eye.⁷ and it agrees with R. Akiba who said that [in such cases] if they were brought up [on the altar] they must not be taken down. And the other?⁸ —

He will reply, It is only when [the blemish] affects the validity of [the animal] itself [as a sacrifice] that R. Akiba says that if they were brought up they must not be taken down, but he does not say so where it affects the hallowing of the bread. It was stated: If a sin-offering was slaughtered [with the intention

MENOCOS III – 59a-86a

of performing a service or of eating thereof] outside its proper time and it was brought up [on the altar], it must not be taken down. If [it was slaughtered with the intention of performing a service or of eating thereof] outside its proper place and it was taken up, Rabbah⁹ said, It must be taken down; but Raba⁹ said, It must not be taken down. Rabbah evidently agrees with R. Joshua¹⁰ and Raba with R. Eliezer;¹¹ but Raba retracted in favor of Rabbah's view seeing that R. Eliezer retracted in favor of R. Joshua's view. There are some, however, who say that although R. Eliezer retracted in favor of R. Joshua's view Raba did not retract in favor of Rabbah's view; for there [R. Joshua] convinced [R. Eliezer] by his argument: We should infer it from [the slaughtering of the offering] under another name; here, however, if we derive it from [the slaughtering of the offering] under another name, [we obtain the ruling that] if it was brought up it must not be taken down.¹²

IF HE SLAUGHTERED IT UNDER ANOTHER NAME, etc, R. Papa said, Our Tanna omits the ram of the Nazirite-offering which is frequent and deals with the ram of the Consecration-offering!¹³ And our Tanna? — He deals with the very first offering.¹⁴

MISHNAH. IF THE DRINK-OFFERINGS¹⁵ HAD ALREADY BEEN HALLOWED IN A VESSEL WHEN THE ANIMAL-OFFERING WAS FOUND TO BE INVALID, IF THERE IS ANOTHER ANIMAL-OFFERING,¹⁶ THEY MAY BE OFFERED WITH IT; BUT IF NOT, THEY ARE LEFT TO BECOME INVALID BY REMAINING OVERNIGHT.¹⁷

GEMARA. Ze'iri said, The drink-offerings are hallowed¹⁸ only by the slaughtering of the animal-offering. Why is this? Because the verse says, Animal-offerings and drink-offerings.¹⁹ We have learnt: **IF THE DRINK-OFFERINGS HAD ALREADY BEEN HALLOWED IN A VESSEL WHEN THE ANIMAL-OFFERING WAS FOUND TO BE**

INVALID, IF THERE IS ANOTHER ANIMAL-OFFERING, THEY MAY BE OFFERED WITH IT; BUT IF NOT, THEY ARE LEFT TO BECOME INVALID BY REMAINING OVERNIGHT, Now presumably it became invalid in the act of slaughtering?²⁰ — No, it became invalid in the act of sprinkling.²¹ With whom [would this agree]?²² [Shall I say only] with Rabbi, who ruled that where there are two acts²³ which [jointly] render the offering permissible, one can promote [to sanctity] even without the other? — You may even say that it agrees with R. Eleazar son of R. Simeon,²⁴ for we are dealing here with the case where the blood had been received in a bowl and was spilt.

(1) Cur. edd. insert here: 'that if he slaughtered it and it was found to be Trefah the bread is not hallowed'. It is not found in the MSS. or in Tosefta Men. VIII. It is deleted here by Sh. Mek.

(2) For this is a case of Piggul, and with Piggul it is essential that the remaining services be regarded as validly performed, otherwise the penalty of Piggul would not be incurred. Accordingly the bread is undoubtedly hallowed by the slaughtering.

(3) For the disqualifying defect must have befallen it before it came into the Temple.

(4) The offering of an animal with a physical blemish does not involve the penalty of kareth.

(5) In which case it is expressly stated in our Mishnah that the bread is not hallowed.

(6) I.e., he recognized in this last statement a convincing argument, and eventually acquiesced in R. Joshua's view that where there was an intention expressed at the slaughtering of the offering of eating thereof outside its proper place the bread is not hallowed.

(7) Or, 'a cataract'. As this is but a minor defect, since it is not noticeable nor is it regarded as a defect in birds, it is accepted by the altar; consequently it is regarded as having befallen the offering in the Temple and the bread is therefore hallowed.

(8) So MS.M., Rashi MS. and Sh. Mek. The question is against R. Judah in his report of R. Eliezer's view, that where the animal is found after the slaughtering to have a blemish the bread is not hallowed. Why should not the bread be hallowed seeing that we are speaking of a minor blemish? In some texts the reading is 'And R. Judah?' and in others 'and R. Joshua?'

MENACHOS III – 59a-86a

(9) So MS.M., Rashi MS. and Sh. Mek. Cur. edd. transpose 'Rabbah' and 'Raba' in the entire passage.

(10) Who in a similar case in connection with the thank-offering ruled that the bread was not hallowed, for he compared the slaughtering of an offering at which there was the intention of eating thereof outside its proper place with the offering of a blemished animal, and in the latter case even if it was brought up it must be taken down.

(11) Who considered the slaughtering at which there was the intention of eating thereof outside its proper place on the same footing as where there was the intention of eating thereof outside its proper time, and in the latter case all agree that if brought up it must not be taken down.

(12) For it is admitted by all that if a sin-offering was offered under another name and it was brought up upon the altar it must not be taken down again. V. Zeb. 84a.

(13) Which was only offered at the consecration of the Tabernacle in the wilderness. This is most strange on the part of the Tanna.

(14) The consecration-offering was the first offering that was accompanied by a bread-offering. The law, however, applies also to the ram of the Nazirite-offering. Aliter: the Tanna only mentions offerings of the community but not individual offerings.

(15) These include the wine as well as the meal-offerings which accompanied certain animal-offerings; v. Num. XV, 4ff.

(16) Which was slaughtered on this day too, but which had not been provided with the drink-offerings.

(17) Since they have been hallowed in a vessel of ministry. A variant reading is: וְאֵם לִנּוּ יִפְסְלוּ בְלַיְנָה, 'if they remained overnight, they are, by being kept overnight, rendered invalid'.

(18) And therefore become invalid if kept overnight or if taken outside the Sanctuary (Rashi MS.). Tosaf and Rashi (in cur. edd.) explain 'hallowed' to mean that they may not now be used for another offering.

(19) Lev. XXIII, 37. The drink-offerings are thus dependent upon and are hallowed by the animal-offering.

(20) Nevertheless the drink-offerings are hallowed, for the Mishnah states that in the absence of another animal-offering

they must be kept overnight to be rendered invalid. Now since in this case the slaughtering of the animal-offering was invalid it obviously could not have hallowed the drink-offerings, but they must have been hallowed before the slaughtering, thus contrary to Ze'iri.

(21) And the drink-offerings were hallowed by the slaughtering.

(22) Viz., the view expressed that the slaughtering alone hallows the drink-offerings.

(23) Here the slaughtering and the sprinkling.

(24) Who maintains that both acts are essential for the hallowing of the drink-offerings;

Menachoth 79b

and R. Eleazar son of R. Simeon holds the same view as his father, who maintained that what was ready for sprinkling is regarded as sprinkled.¹

The Master stated: 'IF THERE IS ANOTHER ANIMAL-OFFERING, THEY MAY BE OFFERED WITH IT'. But has not R. Hisda ruled that oil which had been set apart for one meal-offering is invalid for another meal-offering? — R. Jannai answered, The Beth din make a mental stipulation about [the drink-offerings]² that if they are required, they are required [and utilized for that offering]; but if not, they shall be utilized for another offering. If so, this should apply to oil too! — Oil is part of the meal-offering.³ Should they not stipulate that they shall be non-holy?⁴ — [No,] for it is to be feared that people will say that one may take out what has already been in a vessel of ministry for secular use.⁵ But even now it is to be feared, is it not, that people might think that drink-offerings set apart for one offering may be used for another offering?⁵ —

Behold Mattitiah b. Judah taught [that the ruling of our Mishnah applies only] where the other animal-offerings⁶ had been slaughtered at the same time.⁷ Then what would be the law where the other animal-offering had not been slaughtered at the same time? They [the drink-offerings] would be left to become invalid by remaining overnight, would they not? Then instead of teaching the final clause, BUT IF NOT, THEY ARE LEFT TO BECOME INVALID BY REMAINING OVERNIGHT, [the Tanna] could have drawn a distinction in that [first clause] thus: That is so⁸ only where the other animal-offering had been

MENOCHOS III – 59a-86a

slaughtered at the same time, but not where the other animal-offering had not been slaughtered at the same time! — That is just what [the Tanna] meant to say, That is so only where the other animal-offering had been slaughtered at the same time, but where the other animal-offering had not been slaughtered at the same time, [the drink-offerings] are invalid for they are regarded as though they had remained overnight. But does R. Simeon⁹ hold that the mental stipulation of the Beth din is effective?

Behold R. Idi b. Abin stated in the name of R. Amram who cited R. Isaac who cited R. Johanan, The daily offerings which are not required for the community¹⁰ are, according to R. Simeon, not redeemed unblemished;¹¹ but according to the Sages they are redeemed unblemished!¹² — In that case it is different for there is the remedy of putting them to pasture.¹³

MISHNAH. THE YOUNG OF A THANK-OFFERING,¹⁴ ITS SUBSTITUTE,¹⁵ AND THE ANIMAL WHICH WAS SET APART IN THE PLACE OF THE THANK-OFFERING WHICH WAS SET APART AND WAS LOST,¹⁶ DO NOT REQUIRE THE BREAD-OFFERING; FOR IT IS WRITTEN, AND HE SHALL OFFER WITH THE SACRIFICE OF THANK-OFFERING;¹⁷ THE THANK-OFFERING REQUIRES THE BREAD-OFFERING, BUT ITS YOUNG, WHAT IS BROUGHT IN ITS PLACE, AND ITS SUBSTITUTE, DO NOT REQUIRE THE BREAD-OFFERING.

GEMARA. Our Rabbis taught: Why was it necessary for Scripture to say, He offers [it] for a thank-offering?¹⁸ Whence is it derived that if a man had set apart a beast for a thank-offering and it was lost and he set apart another in its place, and then the first was found so that now both beasts are standing before him — whence [it is asked] is it derived that he may offer whichever of them he pleases and with it the bread-offering? Because the text states, He offers...

for a thank-offering.¹⁹ I might think that the other animal also requires the bread-offering; therefore the text says, He offers it,¹⁹ implying one only²⁰ but not two. Thus the text has qualified it after including it.²¹ Whence do I know that the young [of the thank-offering] what was brought in its place, and its substitute, are also included that they too must be offered [as thank-offerings]? Because the text states, If... for a thank-offering.²² I might think that they also require the bread-offerings; the text therefore says, Then he shall offer with the thank-offering; the thank-offering alone requires the bread-offering, but its young, what was brought in its place,²³ and its substitute, do not require the bread-offering.

R. Hanina sent the following ruling in the name of R. Johanan, This is so²⁴ only [if it is offered] after the atonement;²⁵ but if before the atonement, it also needs the bread-offering.²⁶ Now R. Amram pondered over this. To what [does the above ruling refer]? Shall I say to the case of the animal that was brought in the place of an obligatory thank-offering?²⁷ But we have already learnt it regarding the case [where it was offered] before the atonement, and also regarding the case [where it was offered] after the atonement!²⁸

(1) Accordingly the moment that the blood had been received in a bowl in readiness for the sprinkling the drink-offerings become hallowed.

(2) This relates, of course, only to communal offerings. By 'Beth din' is meant here the Temple authorities, the priests.

(3) For the oil is mingled with the flour and becomes one with the meal-offering; hence, even before mingling, the oil is so closely related to the meal-offering that if the latter is for some reason invalid the oil cannot be used for any other offering.

(4) I.e., in the event of the drink-offerings not being utilized for the animal-offering they shall be permitted for secular use. Wherefore does our Mishnah state: BUT IF NOT, THEY ARE LEFT TO BECOME INVALID?

(5) For people will not be aware of the mental reservation of the Beth din.

MENACHOS III – 59a-86a

- (6) For which these drink-offerings are to be used.
- (7) In this case people would assume that the drink-offerings had originally been intended for the other animal-offering.
- (8) That the drink-offerings may be used for another animal-offering.
- (9) For it had been said supra that our Mishnah was in agreement with R. Eleazar son of R. Simeon who adopted his father's view.
- (10) There were always six lambs which had been examined and found free from blemish in readiness for the daily offerings, for although only two were required daily six were made ready in case of an emergency. Consequently on the last day of every year, i.e., on the twenty-ninth day of Adar, there were always four lambs left which were not required for the community. They could not be used as offerings, for from the first of Nisan lambs from the new stock only would be used. V. supra 49b.
- (11) But they must be allowed to pasture until they become blemished when they may be redeemed. The fact that R. Simeon must resort to this measure indicates clearly that he holds that the mental stipulation of the Beth din with regard to the lambs, namely those that are not required shall be non-holy, is of no effect.
- (12) For the mental stipulation of the Beth din is effective. V. Shebu. 11b.
- (13) Until they become blemished when they can be redeemed. Only in such a case does R. Simeon hold that the mental stipulation of the Beth din is of no effect, but not in the case where there is no other remedy, as with the drink-offerings.
- (14) A man consecrated a pregnant beast as a thank-offering and it later brought forth its young. The young must be offered as the same sacrifice as the mother-beast; v. Tem. III, 2.
- (15) In which case both the consecrated beast and the substitute are holy. cf. Lev. XXVII, 10; and the latter must be offered as the same sacrifice as the former; v. Tem. l.c.
- (16) And which was eventually found. It is immaterial which beast was offered, the other must also be offered as a thank-offering.
- (17) Lev. VII, 12.
- (18) Ibid. The expression 'he offers it' is entirely superfluous in the construction of this verse.
- (19) Lev. VII, 12.
- (20) I.e., only one of these two thank-offerings, either the original animal or what was brought in its place, requires the bread-offering.
- (21) What was brought in place of the thank-offering is here included that it too must be offered as a thank-offering. But it is qualified in that it does not require a bread-offering.
- (22) Ibid. The expression על, translated 'for', really signifies 'with', 'in addition to'. I.e., others

are also offered as thank-offerings in addition to the original animal.

(23) This item is redundant here, since it has already been established by virtue of the expression 'he shall offer it' that what was brought in the place of the thank-offering is exempt from the bread-offering.

(24) That the bread-offering is not required.

(25) I.e., the young or the substitute or what was brought in the place of the thank-offering is being offered now as a thank-offering after the original animal had been sacrificed and atonement effected thereby.

(26) So that if both animals are present, whichever is offered, whether the original thank-offering or its young or its substitute, needs the bread-offering.

(27) E.g., if one vowed a thank-offering by using the expression 'I take upon myself to offer a thank-offering'. In this case if the animal set apart for the offering was lost another must be brought in its place.

(28) In the foregoing Baraitha it is expressly taught that if the original thank-offering has not been sacrificed but both it and the substitute are present, whichever is offered requires the bread-offering; and if the one had already been sacrificed the other, it has also been taught, is exempt from the bread-offering. And this Baraitha deals with an obligatory thank-offering, for were it only a freewill thank-offering it would not be necessary to replace it if it were lost.

Menachoth 80a

Shall I then say [it refers] to the case of what was brought in the place of a freewill thank-offering? But surely whether [it is offered] before the atonement¹ or after the atonement it certainly requires the bread-offering, for it is an additional thank-offering!² Shall I then say [it refers] to the case of the young of a freewill thank-offering? But surely whether [it is offered] before the atonement or after the atonement it certainly does not require the bread-offering, for it is the surplus of the thank-offering?³ — I must say [it refers] to the case of the young of an obligatory thank-offering; thus if [the young is offered] before the atonement it requires the bread-offering, but if after the atonement it does not require the bread-offering. What does he teach us? — That R. Johanan is of the opinion that a

MENOSCHOS III – 59a-86a

man may obtain atonement with the increase of consecrated things.⁴

Abaye also pondered over it in like manner.⁵ It has also been [expressly] stated: R. Isaac b. Joseph said in the name of R. Johanan, The animal that was brought in the place of a freewill thank-offering, whether [it is offered] before or after the atonement, requires the bread-offering, for it is an additional thank-offering. The young of a freewill thank-offering, whether [it is offered] before or after the atonement, does not require the bread-offering, for it is only the surplus of the thank-offering. The young of an obligatory thank-offering and what was brought in the place of an obligatory thank-offering,⁶ if offered before the atonement, require the bread-offering; but if after the atonement, do not require the bread-offering. Samuel said, Whatever in the case of a sin-offering must be left to die⁷ in the case of a thank-offering does not require the bread-offering,⁸ and whatever in the case of a sin-offering must be left to pasture⁹ in the case of a thank-offering requires the bread-offering. R. Amram raised the following objection: [It was taught]:¹⁰ Why was it necessary for the text to say, 'He offers [it] for a thank-offering'? Whence is it derived that if a man set apart a beast for a thank-offering and it was lost and he set apart another in its place, and then the first was found so that now both beasts stand before him — whence [it is asked] is it derived that he may offer whichever of them he pleases and with it the bread-offering? Because the text states, 'He offers... for a thank-offering'. I might think that the other animal also requires the bread-offering; therefore the text states, 'He offers it', implying one only but not two. Now a sin-offering in such a case would certainly be left to pasture;¹¹ for we have learnt: If a man set apart an animal as his sin-offering and it was lost, and he set apart another in its stead, and then the first was found so that now both stand [before us], one must be used for his atonement while the other must be left to die.

So Rabbi. But the Sages say No sin-offering may be left to die save only that which is found after its owner had obtained atonement [by another offering].¹² It follows, however, that [if it is found] before its owner had [otherwise] obtained atonement it must be left to pasture! —

Samuel agrees with Rabbi who maintains that the animal which was lost at the time that a second was set apart must be left to die.¹³ Then in what circumstances does it ever arise that the animal, according to Rabbi, must be left to pasture?¹⁴ -In the case stated by R. Oshaia. For R. Oshaia said, If a man set apart two sin-offerings as security,¹⁵ he obtains atonement by whichever animal he pleases [to offer], while the second must be left to pasture.¹⁶ But surely a thank-offering in such a case would not require the bread-offering!¹⁷ —

Rather Samuel agrees with R. Simeon who maintains that the five sin-offerings must be left to die.¹⁸ But R. Simeon holds that under no circumstances [is a sin-offering] to be left to pasture!¹⁹ — Samuel too stated one rule [only]: Whatever in the case of a sin-offering must be left to die in the case of a thank-offering does not require the bread-offering. Then what does he teach us?²⁰ — [His purpose is] to reject R. Johanan's view; for [R. Johanan] ruled that a man may obtain atonement from the increase of consecrated things;²¹ and [Samuel] teaches us that it is not so.

Rabbah²² said, [Where a man said,] 'This [animal] shall be a thank-offering and these its loaves'. if the loaves were lost he may bring other loaves [for this thank-offering]; but if the thank-offering was lost he may not bring another thank-offering [for these loaves]. What is the reason? — The loaves are appurtenant to the thank-offering but the thank-offering is not appurtenant to the loaves. Raba said, If a man set apart money [to purchase an animal] for a thank-offering

MENACHOS III – 59a-86a

- (1) Sc. before the sacrifice of the original thank-offering.
- (2) Lit., 'he is offering many thank-offerings'. Since the original is a freewill thank-offering there is no obligation to replace it if lost, accordingly what is brought in replacement is in fact another thank-offering, and as such certainly requires the bread-offering.
- (3) Any accretion to the original thank-offering is accounted as surplus and, like the surplus of money that was assigned for the purchase of a thank-offering, does not require the bread-offering.
- (4) And as the young may be used for the atonement it is deemed to be a thank-offering just as the mother-beast and therefore requires the bread-offering.
- (5) And arrived at the same conclusion as R. Amram.
- (6) So MSM. and other MSS., and Sh. Mek. The words 'and what was brought in the place of an obligatory thank-offering' are omitted in cur. edd., evidently wrongfully since the verb 'require' is governed by a plural subject.
- (7) This is the ruling in the following five cases: (i) The young of a sin-offering; (ii) the substitute of a sin-offering; (iii) a sin-offering whose owner died; (iv) a sin-offering which was lost and its owner had obtained atonement with another; and (v) a sin-offering more than a year old. The animal in these cases was locked up and starved to death.
- (8) Thus the young of the thank-offering (or any of the other cases enumerated in the prec. n., with the exception of (v), for a thank-offering may be more than a year old) is offered as a thank-offering but does not require the bread-offering.
- (9) Until it becomes blemished and is then redeemed. For the circumstance v. Gemara.
- (10) V. supra p. 479 and notes.
- (11) According to the view of the Sages infra. Nevertheless it is stated that in the case of a thank-offering no bread-offering is required, thus in conflict with the second part of Samuel's rule.
- (12) Tem. 22b, Pes. 97a.
- (13) Even though it was found again before the second animal was offered it must none the less be left to die, for it had been rejected as a sin-offering. Likewise a thank-offering in such circumstances would not require the bread-offering, thus in accordance with Samuel's rule.
- (14) For Samuel ruled that whatever in the case of a sin-offering must be left to pasture, etc.
- (15) In case one is lost the other should be available for use.
- (16) This is admitted by Rabbi, for only where the animal had been rejected as a sin-offering, on being lost, does Rabbi rule that it must be left to

die, but not where both animals were from the outset available for the offering.

(17) For one merely stands to replace the other, and we have learnt that what was brought in the place of a thank-offering does not require the bread-offering. Accordingly Samuel's rule does not hold good.

(18) V. supra p. 482, n. 2. The fourth case would, according to R. Simeon, include the case where two sin-offerings were brought as security, so that the animal which had not been used must be left to die. A thank-offering in such a case would certainly not require the bread-offering, thus in conformity with Samuel's rule.

(19) How then can Samuel say, 'Whatever in the case of a sin-offering must be left to pasture'?

(20) For all the cases implied in Samuel's rule have been expressly taught that they do not require the bread-offering.

(21) Hence, according to R. Johanan, the young of a thank-offering, if offered before atonement has been made by the mother-beast, would require the bread-offering.

(22) So Rashi and Sh. Mek., and so also in the parallel passage in Pes. 13b. In cur. edd. 'R. Abba'. According to Sh. Mek. the two statements which follow are also by Rabbah.

Menachoth 80b

and some was left over, he may bring with it the loaves. If [he set money apart] for the loaves of a thank-offering and some was left over, he may not bring with it the thank-offering. What is the reason? Shall I say it is R. Kahana's teaching? For R. Kahana said, Whence is it known that the' loaves of the thank-offering are referred to as 'the thank-offering'? From the verse, And he shall offer with the thank-offering unleavened cakes.¹ If so, the reverse should also be true, should it not?² -[No,] the loaves are referred to as 'the thank-offering' but the thank-offering is never referred to as 'the loaves'.

Raba also said, If a man set apart [an animal for] his thank-offering and it was lost, and he set apart another in its stead and that too was lost, and he then set apart a third in its stead, and then the first [animals] were found so that now all three animals stand before us. — if he obtained atonement by the first animal, the second does not require the bread-

MENOSCHOS III – 59a-86a

offerings³ but the third does;⁴ if he obtained atonement by the third, the second does not require the bread-offering but the first does;⁵ if by the second, the other two do not require the bread-offering.⁶

Abaye said, Even though he obtained atonement by any one of them the other two do not require the bread-offering. because each was replaced by the other.⁷ R. Zera said, And so it is, too, with regard to the sin-offering. Thus if a man set apart [an animal for] his sin-offering and it was lost, and he set apart a second animal in its stead and that too was lost, and then he set apart a third in its stead, and then the first [animals] were found so that now all three animals stand before us, — if he obtained atonement by the first animal, the second must be left to die and the third must be left to pasture;⁸ if he obtained atonement by the third animal, the second must be left to die and the first must be left to pasture; if he obtained atonement by the second animal, the other two animals must be left to die.

Abaye said, Even though he obtained atonement by any one of them the other two animals must be left to die, because each was replaced by the other. What is the point of saying ‘And so it is too’? [Is it not obvious?] — You might think that it applies only there [in the case of the thank-offering] for one might say that he is offering additional thank-offerings,¹⁰ but not here [in the case of the sin-offering] for one cannot say that he is offering additional sin-offerings;¹¹ we are therefore taught [that so it is too with the sin-offering].

R. Hiyya taught: If a thank-offering was confused with its substitute and one of them died, there is no remedy for the other.¹² For what is he [the owner] to do? Should he offer the bread-offering with it? perhaps it is the substitute.¹³ Should he not offer the bread-offering with it? Perhaps it is the original thank-offering. But if he had said, ‘Behold I

take upon myself [to offer a thank-offering]’. He cannot do otherwise than bring it.¹⁴ then let him bring another animal and the bread-offering [of a thank-offering] with it and declare, ‘If the surviving [animal] is the substitute, then let this be a thank-offering and this its bread-offering; and if the surviving [animal] is the [original] thank-offering, then let this be the bread-offering for it and this [animal] be as security’!¹⁵ — It must be that he had said, ‘Let this be [a thank-offering]’.¹⁶

(Mnemonic: *The arguers, Martha, ‘Ulla, Shisha, Ashi, Damharia. — Hul[lin], SH[elamim], Surplus, Substitute, Outside, Hezekiah, Set apart a sin-offering. Security.*)¹⁷

The arguers¹⁸ before Rabbi raised this question. Let him bring the bread-offering and declare, ‘If the surviving [animal] is the [original] thank-offering, let this be its bread-offering; but if not, let this be unconsecrated [bread]!’ — He replied, May one bring unconsecrated food into the Sanctuary?¹⁹ Then let him bring another animal and the bread-offering and declare, ‘If the surviving [animal] is the substitute, let this [animal] be a thank-offering and this its bread-offering; and if the surviving [animal] is the [original] thank-offering, let this be the bread-offering for it and this [animal] be a peace-offering!’ — He replied. [This is no remedy] for then the time allowed for the eating of peace-offerings would be curtailed.²⁰

Levi²¹ suggested this to Rabbi, Let him bring another animal and the bread-offering and declare, ‘If the surviving [animal] is the substitute, let this [animal] be a thank-offering and this its bread-offering; and if the surviving [animal] is the [original] thank-offering, then let this be the bread-offering for it and this [animal] be the surplus of the thank-offering!’²² — He replied. It seems to me that this man has no brains in his skull.

(1) Lev. VII, 12.

MENACHOS III – 59a-86a

(2) That the surplus of money assigned for the loaves should be used for the thank-offering.

(3) For the second animal which was brought to replace the first (which eventually was offered as a thank-offering) is regarded as the surplus of the thank-offering and therefore does not require the bread-offering.

(4) The third was brought to replace the second, but as the second was not offered the third cannot be regarded as the surplus of the thank-offering, but rather as an additional thank-offering which requires the bread-offering.

(5) The third animal (which was offered) replaced the second, hence the latter is now the surplus of the thank-offering; the first animal, however, was not at any time replaced directly by the third.

(6) For both the first and the third are directly connected with the second, and are now the surplus of that which was actually offered.

(7) So that even the third, which only indirectly replaced the first, is also exempt from the bread-offering.

(8) For the owner of this sin-offering has obtained atonement by another animal, accordingly this animal which is the surplus of the sin-offering must be left to die.

(9) For it is not directly connected with the first animal.

(10) Since a man may offer as many thank-offerings as he pleases and at any time.

(11) A sin-offering cannot be brought at any time as a freewill-offering; accordingly even in the first case where the atonement was made by the first animal the third animal should also be left to die.

(12) I.e., it must be left to die.

(13) And the bread-offering was not to be brought with the substitute. V. Mishnah, supra p 479.

(14) Lit., 'there is no way of not bringing it'. By using this expression there is a personal obligation upon this man to bring the promised offering.

(15) And where an animal is brought together with the thank-offering as security against its loss it does not require the bread-offering.

(16) The use of this expression does not involve a personal obligation; hence it cannot be said that another animal is brought as security.

(17) It will be observed that from here until the next Mishnah eight suggestions are put forward which are introduced by different scholars. The mnemonic therefore consists of two parts; first the names of the various scholars and secondly a list of the subjects of the arguments. The text, however, is in a bad state; v. Sh. Mek. and Rabinowicz D.S. a. l. n. 6. 'The arguers' (that is, Levi, v. next n.) put the first three questions 'Damharia' is not the name of a person but of the place where R. Dimi lived (v. p. 490. n. 2). חלש is an abbreviation of חולין and שלמים, meaning

unconsecrated animals and peace-offerings respectively.

(18) Sc. Levi. When taking part in discussions in the College Levi was known by this appellation; v. San. 17b. When he discussed a matter privately with Rabbi he was simply spoken of as Levi (Rashi MS.).

(19) Certainly not. Hence the remedy suggested is unsatisfactory.

(20) As this additional animal is in a state of doubt whether it is a thank-offering or a peace-offering, its flesh would only be eaten the same day until midnight like a thank-offering, and what is left over would be burnt; yet if it were a peace-offering it would not have to be burnt then, since it may be eaten during two days and one night.

(21) V. supra p. 486, n. 8; v. however Tosaf s.v. אמר.

(22) Which is offered without the bread-offering.

Menachoth 81a

May one at the very outset set apart [an animal] to be the surplus [of an offering]?¹ R. Isaac b. Samuel b. Martha was sitting in the presence of R. Nahman, and while sitting there he said, Let him bring another animal and the bread-offering and declare, 'If the surviving [animal] is the substitute, let this animal be a thank-offering and this its bread-offering; and if the surviving [animal] is the [original] thank-offering, let this be the bread-offering for it and this [animal] be the substitute [of the thank-offering]!' — He replied. Tell me, Sir; forty stripes on his shoulders, and [yet you] permit him [to do so]!²

R. 'Ulla was once ill, and Abaye and the other Rabbis came to visit him. While sitting there they said, If [the law] is in accordance with R. Johanan who ruled that [the bread] is hallowed even though it was outside the wall of the Sanctuary,³ then let him bring the bread-offering and put it down outside the wall of the Sanctuary and let him declare, 'If the surviving [animal] is the [original] thank-offering, then here is its bread-offering; and if not, let it be treated as unconsecrated [bread]!' — [This is no remedy] for there are four cakes which must be waved,⁴ and what

MENOSCHOS III – 59a-86a

should one do? Should he [the priest] wave them outside [the Sanctuary]? But it is written Before the Lord.⁵ Should he wave them inside? He is then bringing unconsecrated food into the Sanctuary. It is thus impossible to do so.

R. Shisha son of R. Idi demurred saying, If [the law] is in accordance with Hezekiah who ruled that forty out of the eighty cakes are hallowed,⁶ let him bring another animal and with it eighty cakes and let him declare, 'If the surviving [animal] is the [original] thank-offering, let this [animal] also be a thank-offering and here are eighty cakes for both [thank-offerings]; and if the surviving [animal] is the substitute, then let this [animal] be a thank-offering and this the bread-offering for it, and let forty out of the eighty cakes be hallowed!'⁷ — [This is no remedy] for there would then be a curtailment of the eating of the forty cakes.⁸

R. Ashi said to R. Kahana, If [the law] is in accordance with R. Johanan who ruled⁹ that where a man set apart a pregnant beast as a sin-offering and it then gave birth, his atonement may be made, if he so desires, with the mother-beast itself or, if he prefers, with her young, let him bring here a pregnant beast and wait until it gives birth and let him also bring eighty cakes and declare, 'If the surviving [animal] is the substitute, let it [the mother-beast] and its young be thank-offerings, and here are the eighty cakes for both of them; and if the surviving [animal] is the [original] thank-offering, let it [the mother-beast] also be a thank-offering, and here are eighty cakes for both, and this [the young] shall be the surplus of the thank-offering!'¹⁰ — He replied, Who can tell us [for certain] that the reason for R. Johanan's ruling¹¹ is that he is of the opinion that if a man were to reserve it [the young] it is accounted a reservation?¹² Perhaps [he holds] it is not accounted a reservation,¹³ and this is the reason for R. Johanan's ruling, namely that he is of the opinion that a man

may obtain atonement with the increase of consecrated things.¹⁴

Rabina once happened to be in Damharia¹⁵ and R. Dimi son of R. Huna of Damharia suggested the following to Rabina, Let him bring [another] animal and say, 'Behold I take upon myself [to offer a thank-offering]',¹⁶ and let him also bring a [third] animal and with it eighty cakes and declare, 'If the surviving [animal] is the substitute, let these two animals be thank-offerings and here are eighty cakes for both; and if the surviving [animal] is the thank-offering, then let that animal in respect of which I said, "I take upon myself [to offer a thank-offering]" also be a thank-offering, and here are the eighty cakes for those two [thank-offerings], and let the third animal be as security!' — He replied. The Torah says, Better it is that thou shouldst not vow, than that thou shouldst vow and not pay,¹⁷ and you say that he should proceed to vow in the first instance?

MISHNAH. IF A MAN SAID, 'BEHOLD I TAKE UPON MYSELF [TO BRING] A THANK-OFFERING', HE MUST BRING BOTH IT AND ITS BREAD FROM WHAT IS UNCONSECRATED.¹⁸

- (1) Surely not.
- (2) To designate an animal as a substitute for a consecrated one is a transgression of Lev. XXVII, 10 and involves the penalty of stripes. Surely then it would not be suggested as a remedy in our case to make this substitution in the first instance!
- (3) At the time of the slaughtering of the thank-offering, V. supra 78b.
- (4) This was the priest's portion from the bread-offering, one cake from each sort, which had to be waved together with the breast and thigh of the thank-offering.
- (5) Lev. VII, 30. Although this is stated of the peace-offering it applies also to the thank-offering.
- (6) Where a man brought eighty cakes with his thank-offering, Hezekiah maintained that forty of them are hallowed, the other forty being regarded as having been brought as security only. V. supra 78b.
- (7) The cakes should be left outside the Sanctuary and only eight be brought within; so R. Gershom and Rashi. According to Rashi MS. the whole of

MENOSCHOS III – 59a-86a

the eighty cakes are to be brought into the Sanctuary, and there can be no objection to this on the ground that unconsecrated food is being brought into the Sanctuary for the additional forty cakes are deemed a security for the others and are of service to the hallowed cakes.

(8) According to another reading: of the four cakes. It is obviously necessary to give the priest eight cakes for there may be here two thank-offerings; but the priest, thinking that he is not entitled to more than four of them, for there may be here only one thank-offering, would only eat four and leave four; the owners, on the other hand, would not eat the remaining four cakes, and they would therefore be destroyed unnecessarily. Another interpretation: Clearly eight cakes are given to the priests, but it is possible that only four of them are holy; now if it happens that the priests are unable to consume all the eight cakes that same day. it may be that the remaining cakes, which have to be burnt, are the hallowed cakes, so that by giving the priests non-hallowed cakes to eat it may result in bringing hallowed cakes to destruction.

(9) Yeb. 78a, Tem. 25a.

(10) For which no bread-offering is required. The objection, stated supra, ‘May one at the outset set apart an animal to be the surplus of an offering?’ cannot be raised here, for at the time that the animal was set apart the surplus. i.e., the young, was not yet brought into the world.

(11) That the atonement may be effected either by the mother-beast or by the young.

(12) The young of an animal that was consecrated pregnant can be reserved and appointed by the owner for any purpose or offering, for it is not considered as one entity with the mother-beast; consequently in the case of the sin-offering either animal may be offered for the atonement; likewise in a thank-offering, each animal when offered requires the bread-offering.

(13) Accordingly the young may not be used for any offering but it is one with the mother-beast, and when the latter is offered as a thank-offering the young becomes the surplus thereof and does not require the bread-offering.

(14) R. Johanan only ruled that either animal may be used for atonement, but after atonement has been effected with one animal, be it the mother-beast or the young, the other animal is regarded as the surplus thereof, and as such does not require the bread-offering when offered as a thank-offering.

(15) A town in the neighborhood of Sura.

(16) By using this expression he assumes a personal obligation to bring the offering and must replace it by another if it died or was lost; thus it

is usual in such a case to bring another animal with it as security.

(17) Eccl. V, 4. From this verse it is established that the best course is not to vow at all (cf. Hul. 2a). and indeed it is reprehensible to do so (cf. infra 109b). for a vow, i.e., when the expression ‘I take upon myself’ is used, may become most difficult of fulfillment, and so bring about sin.

(18) For everything that is obligatory must be brought from what is unconsecrated; v. infra 82a.

Menachoth 81b

[IF HE SAID.] ‘THE THANK-OFFERING FROM WHAT IS UNCONSECRATED AND ITS BREAD FROM [SECOND] TITHE [MONEY]’. HE MUST BRING BOTH IT AND ITS BREAD FROM WHAT IS UNCONSECRATED.¹ [IF HE SAID,] ‘THE THANK-OFFERING FROM SECOND TITHE AND ITS BREAD FROM WHAT IS UNCONSECRATED’, HE SHALL BRING IT SO. [IF HE SAID,] ‘BOTH THE THANK-OFFERING AND ITS BREAD FROM SECOND TITHE’, HE SHALL BRING IT SO; BUT HE MAY NOT BRING IT FROM SECOND TITHE WHEAT BUT ONLY FROM SECOND TITHE MONEY.²

GEMARA. R. Huna said, If a man said, ‘Behold I take upon myself [to bring] the bread of a thank-offering’, he must bring a thank-offering and its bread. For what reason? Since this man knows full well that bread alone cannot be offered he obviously meant a thank-offering together with its bread, and when he said, ‘The bread of a thank-offering’ he merely stated the final words [of the vow].³

We have learnt: [IF HE SAID,] ‘THE THANK-OFFERING FROM SECOND TITHE AND ITS BREAD FROM WHAT IS UNCONSECRATED’, HE SHALL BRING IT SO. Now why is this so? Surely since he said, ‘Its bread from what is unconsecrated’, he ought to bring both it [the thank-offering] and its bread from what is unconsecrated!⁴ — There it is quite different, for since he had already said, ‘The thank-offering from Second Tithe’, [when he next said, ‘Bread

MENOCHOS III – 59a-86a

from what is unconsecrated'] it is to be taken as though he had said, 'Behold I take upon myself to bring the bread for So-and-so's thank-offering'.⁵ If that is so, then in the first clause too which reads, [IF HE SAID,] 'THE THANK-OFFERING FROM WHAT IS UNCONSECRATED AND ITS BREAD FROM SECOND TITHE MONEY, HE MUST BRING BOTH IT AND ITS BREAD FROM WHAT IS UNCONSECRATED, it should also be taken as though he had said, 'Behold I take upon myself to bring the thank-offering⁶ for So-and-so's bread'.⁷ — How can you compare [the two]? Bread might very well be brought for another's thank-offering; but is a thank-offering ever brought for another's bread?⁸

Come and hear: If a man said, 'Behold I take upon myself to offer a thank-offering without the bread', or 'an animal-offering without the drink-offerings', they compel him to bring the thank-offering with the bread or the animal-offering with the drink-offerings. Now this is so only where he said, 'a thank-offering', but where he did not say 'a thank-offering',⁹ he would not [have to bring anything at all!]¹⁰ — [No.] it is just the same even though he did not say 'a thank-offering',¹¹ but since the Tanna wished to state the case of an animal-offering without the drink-offerings, when he could not have stated [the reverse, viz..] drink-offerings without an animal-offering,¹² he also stated the case of the thank-offering.¹³ Why is it so?¹⁴ Surely this is a vow that carries with it its annulment!¹⁵ —

The authority for this [view of our Mishnah], said Hezekiah, is Beth Shammai who maintain that one must always regard the first words [of a man's statement as binding].¹⁶ For we have learnt:¹⁷ If a man said, 'I will be a Nazirite [and abstain] from dried figs and pressed figs',¹⁸ Beth Shammai say. He becomes a Nazirite;¹⁹ but Beth Hillel say, He does not become a Nazirite.²⁰ R. Johanan said, You may even say that this is

in accordance with Beth Hillel, [only we must suppose that the man] said, 'Had I but known that one cannot vow in this manner²¹ I should not have vowed in this manner but in that'.²² What [then means], 'They compel him'?²³ -That is if he wishes to change his mind now.

Come and hear: If a man said, 'I take upon myself to bring a thank-offering without bread', or 'an animal-offering without the drink-offerings', and when they said to him, 'You must bring a thank-offering with the bread' or 'an animal-offering with the drink-offerings'. he replied, 'Had I but known this I would not have vowed at all', they compel him none the less and say to him, 'Observe and hear'.²⁴ Now this is well according to Hezekiah,²⁵ but it surely presents a difficulty to R. Johanan!²⁶ — R. Johanan will reply, That [Baraita] undoubtedly represents Beth Shammai's view.

What is meant by 'Observe and hear'?- Abaye said, 'Observe': bring the thank-offering, 'and hear:' bring its bread-offering. Raba said. 'Observe': bring the thank-offering with its bread-offering. 'and hear': be not in the habit of doing so.

[IF HE SAID.] 'BOTH THE THANK-OFFERING AND ITS BREAD FROM SECOND TITHE'. HE SHALL BRING IT SO. 'HE SHALL BRING IT SO!' Is he then bound to bring it so?²⁷ — R. Nahman and R. Hisda explained, If he wishes he brings it [as he vowed]. and if not he need not bring it [as he vowed].²⁸

BUT HE MAY NOT BRING IT FROM SECOND TITHE WHEAT BUT ONLY FROM SECOND TITHE MONEY. R. Nahman and R. Hisda both said, They taught this only of Second Tithe wheat,²⁹ but he may bring it from wheat bought with Second Tithe money.³⁰ R. Jeremiah was sitting before R. Zera and recited as follows: They taught this only of Second Tithe wheat, but he may

MENOSCHOS III – 59a-86a

bring it from wheat bought with Second Tithe money. [R. Zera] said to him, Master, you say so; but I say that even from wheat bought with Second Tithe money he may not bring it.³¹ And I will state my reason and I will state your reason. I will state your reason: Whence do you know this³² of the thank-offering? From peace-offerings.³³

(1) For the bread is subsidiary to the thank-offering, and since he vowed to bring the thank-offering from what is unconsecrated that included the bread too, and his subsequent words are of no consequence.

(2) I.e., money which had been used for redeeming Second Tithe produce.

(3) But his intention was to offer a thank-offering too.

(4) For when he said 'Bread from what is unconsecrated', let it be taken as the final words of an unexpressed intention, so that he must bring both the thank-offering and the bread from what is unconsecrated. His opening words 'the thank-offering from Second Tithe' would be of no consequence. V., however, Tosaf s.v. **יִצְחָק**.

(5) Lit. 'to exempt So-and-so's thank-offering (from the bread-offering).' This vow is binding, and he must bring the bread from what is unconsecrated, whether that other's thank-offering was of Second Tithe or of what was unconsecrated. So too in the case of our Mishnah, this man meant to offer bread from what was unconsecrated to exempt his own thank-offering brought from Second Tithe from this obligation.

(6) Viz., the animal.

(7) Accordingly in our Mishnah he should be permitted to bring the thank-offering from what is unconsecrated and the bread from Second Tithe, as he had actually vowed.

(8) Of course not, for the bread is subsidiary to the thank-offering.

(9) But offered to bring the bread alone.

(10) Thus in conflict with R. Huna.

(11) I.e., by offering the bread of a thank-offering he is compelled to bring a thank-offering too.

(12) Since one may certainly offer drink-offerings without an animal-offering, cf. infra 107a.

(13) But even where he did not say 'a thank-offering' but only the bread-offering he is compelled to bring a thank-offering also, in accord with R. Huna.

(14) That where a man vowed to bring a thank-offering without the bread he must nevertheless bring the bread as well.

(15) Lit., 'a vow and with it its opening'. This man's intention apparently was to bring the

thank-offering alone, but realizing immediately that his promise of a thank-offering would also entail the bread-offering he immediately decided to annul his vow by adding the words 'without bread'.

(16) Where a statement is made consisting of two parts, one inconsistent with the other, we recognize the first expression only and the other is to be disregarded. Here, therefore, as soon as the man said 'I take upon myself to bring a thank-offering', that constituted a binding vow, and his subsequent words 'without the bread' cannot nullify the effect of his opening words.

(17) Nazir 9a.

(18) This is nonsense for a Nazirite must abstain only from wine and grapes but not from figs.

(19) In the ordinary sense and must abstain from wine and grapes. Beth Shammai maintain that he is bound by his first expression 'I will be a Nazirite' and his subsequent words are disregarded.

(20) For this is a vow which carries with it its annulment. He purposely added the words 'from dried figs. etc.' in order to annul his vow of becoming a Nazirite.

(21) I.e., a thank-offering without the bread.

(22) A thank-offering with bread.

(23) Seeing that he has expressly indicated his intention that he meant to bring a thank-offering with bread.

(24) Deut. XII, 28.

(25) For like the previous Baraitha this Baraitha also adopts the view of Beth Shammai.

(26) This Baraitha surely cannot be reconciled with Beth Hillel's view; for since his vow is clearly annulled by his subsequent statement why should he be compelled to offer it?

(27) Lit., 'is there no way of not bringing it (as he vowed)'. Surely if he brings what is unconsecrated it is all the better!

(28) But may bring it from what is unconsecrated.

(29) Sc. the original Second Tithe produce.

(30) Even though the wheat had been bought in Jerusalem with Second Tithe money for ordinary purposes and not for the bread of a thank-offering.

(31) Except where the wheat was bought with Second Tithe money for the express purpose of the thank-offering, in which case our Mishnah clearly teaches that he may bring it from that.

(32) That it may be brought from Second Tithe money.

(33) Since we find the thank-offering referred to as peace-offerings. cf. Lev. VII, 13.

MENACHOS III – 59a-86a

Menachoth 82a

And in respect of peace-offerings [this is derived] from the expression ‘there’ stated [in connection with peace-offerings]¹ and also in connection with the Second Tithe.² Then it follows, as peace-offerings are not brought from actual Second Tithe produce.³ so the [bread of the] thank-offering may not be brought from actual Second Tithe produce; and wheat bought with Second Tithe money is not actual Second Tithe produce.⁴ And I will state my reason: Whence do I know this of the thank-offering? From peace-offerings. And in respect of peace-offerings [this is derived] from the expression ‘there’ stated [in connection with peace-offerings] and also in connection with the Second Tithe. Then it follows, as peace-offerings are not of the same kind as Second Tithe, so the [bread of the] thank-offering may not be from that which is the same kind as Second Tithe;⁵ thus excluding wheat bought from Second Tithe money⁶ which is the same kind as Second Tithe.

R. Ammi said, If a man designated⁷ Second Tithe money for a peace-offering, the peace-offering has not appropriated it.⁸ Why? Because the sanctity of the peace-offering is not so potent that it can be imposed upon the sanctity of Second Tithe. An objection was raised: If a man bought⁹ a wild animal for a peace-offering or cattle for use as ordinary food,¹⁰ the hide does not become unhallowed.¹¹ Does not this prove that the peace-offering has appropriated it?¹² — Surely it has been stated in connection with this that Rab said, The peace-offering has not appropriated it; and what is meant by ‘the hide does not become unhallowed’? It means this:—[The wild animal] does not come within the category [of peace-offerings] for its hide to become unhallowed.¹³ And why is it so? — Rabbah answered. It is as if he bought¹⁴ an ox for plowing.¹⁵

It was stated: If a man designated Second Tithe money for a peace-offering, R. Johanan

said, [The peace-offering] has appropriated it; R. Eleazar said, It has not appropriated it. According to R. Judah¹⁶ who maintains that the [Second] Tithe is secular property they both agree that the peace-offering has appropriated it;¹⁷ they differ only according to R. Meir¹⁶ who maintains that the [Second] Tithe is sacred property. He who said that it has not appropriated it is in accord with R. Meir;¹⁸ but he who said that it has appropriated it is of the opinion that since Second Tithe is usually offered¹⁹ as peace-offerings, if a man designates [Second Tithe money for a peace-offering] the designation is binding.

An objection was raised: If a man designated Second Tithe money for a peace-offering, when he redeems it²⁰ he must add two fifths, one in respect of things consecrated and one in respect of Second Tithe!²¹ — Do you think that this teaching is the opinion of all? It is only the opinion of R. Judah.²²

MISHNAH. WHENCE [IS IT DERIVED] THAT IF A MAN SAYS, ‘I TAKE UPON MYSELF [TO OFFER] A THANK-OFFERING’, HE MAY BRING IT ONLY FROM WHAT IS UNCONSECRATED? BECAUSE IT IS WRITTEN, AND THOU SHALT SACRIFICE THE PASSOVER-OFFERING UNTO THE LORD THY GOD OF THE FLOCK AND THE HERD.²³ BUT IS NOT THE PASSOVER-OFFERING BROUGHT ONLY FROM THE LAMBS AND FROM THE GOATS? WHY THEN IS IT WRITTEN, OF THE FLOCK AND THE HERD? IT IS TO COMPARE WHATSOEVER IS BROUGHT FROM THE FLOCK AND THE HERD²⁴ WITH THE PASSOVER-OFFERING: AS THE PASSOVER-OFFERING IS OBLIGATORY AND OFFERED ONLY FROM WHAT IS UNCONSECRATED,²⁵ SO EVERYTHING THAT IS OBLIGATORY²⁶ MAY BE OFFERED ONLY FROM WHAT IS UNCONSECRATED. THEREFORE IF A MAN SAYS, ‘I TAKE UPON MYSELF [TO OFFER] A THANK-OFFERING’, OR ‘I TAKE UPON MYSELF [TO OFFER] A PEACE-OFFERING’,

MENOCHOS III – 59a-86a

SINCE THESE ARE OBLIGATORY THEY MAY BE OFFERED ONLY FROM WHAT IS UNCONSECRATED. THE DRINK-OFFERINGS IN EVERY CASE²⁷ MAY BE OFFERED ONLY FROM WHAT IS UNCONSECRATED.²⁸

GEMARA. And whence do we know it²⁹ for the Passover-offering itself? — It was taught:³⁰ R. Eliezer said: A Passover-offering was ordained to be brought in Egypt and a Passover-offering was ordained for later generations; as the Passover-offering that was ordained in Egypt could be brought only from what was unconsecrated,³¹ so the Passover-offering that was ordained for later generations may be brought only from what is unconsecrated. Said to him R. Akiba, Is it right to infer the possible from the impossible?³² The other replied, Although it was impossible [otherwise]. it is nevertheless a striking argument and we may make an inference from it. Then R. Akiba put forward the following argument [in refutation]: This²⁹ was so of the Passover-offering ordained in Egypt since it did not require the sprinkling of blood and the offering of the sacrificial portions upon the altar;³³

(1) Deut. XXVII, 7. And thou shalt sacrifice peace-offerings and shalt eat there.

(2) Deut. XIV, 26: And thou shalt eat there. Thus by analogy it is established that peace-offerings may be brought from Second Tithe.

(3) For Second Tithe is taken from corn only, and so cannot actually be used for peace-offerings. What is meant is. Of course, that the money obtained from redeeming Second Tithe produce may be used for buying animals for peace-offerings.

(4) Since the original Second Tithe wheat had already been redeemed with money.

(5) So that any Second Tithe wheat, even that which was bought with Second Tithe money, may not be used for the thank-offering. But he may buy with Second Tithe money wheat expressly for the thank-offering. V. p. 494. n. 5.

(6) For Second Tithe purposes but not for the thank-offering.

(7) Lit., 'attached'.

(8) But he may use the money for another purpose.

(9) With Second Tithe money in Jerusalem.

(10) Neither purchase is proper, for wild animals may not be offered as peace-offerings, and cattle bought with Second Tithe money should be offered as peace-offerings only and not be slaughtered for a secular meal.

(11) It is assumed that this means that the hide of the wild beast must be sold and with the money a peace-offering must be offered. Similarly the hide of the cattle must be sold and the money received must be treated as Second Tithe money.

(12) I.e., the sanctity of the peace-offering rests upon the hide so that it must be sold and the money received must be spent on peace-offerings.

(13) In the usual way when cattle is bought with Second Tithe money and is offered as a peace-offering the hide becomes absolutely unhallowed and has neither the sanctity of the peace-offering nor the sanctity of Second Tithe. And likewise, if the sanctity of peace-offerings could apply to wild animals the hide thereof would also become absolutely unhallowed. Since, however, this is not the case, for the wild animal does not come within the category of peace-offerings, the hide does not become unhallowed, but it must be sold and the money received must be treated as Second Tithe money (Rashi MS. and Tosaf.).

(14) With Second Tithe money in Jerusalem.

(15) In which case the ox must be sold and the money received treated in the sanctity of Second Tithe.

(16) V. Kid. 24a, 52b.

(17) For the sanctity of the peace-offering immediately rests upon the secular property.

(18) For he holds that the sanctity of the peace-offering cannot rest upon sacred property.

(19) So MSS. reading קרב. Cur. edd. read קרי, 'is referred to'.

(20) When a man redeems things consecrated or Second Tithe produce or Second Tithe money for other coinage he must add to the redemption money one fifth part of its value. For the former v. Lev. XXVII, 13, 15 and for the latter v. ibid. 31.

(21) It is thus quite evident that the sanctity of the peace-offering rests upon the Second Tithe money that was merely designated for a peace-offering, contrary therefore to R. Eleazar.

(22) Who regards the Second Tithe as secular property and therefore the sanctity of the peace-offering can rest upon it.

(23) Deut. XVI, 2.

(24) Sc. peace-offerings and thank-offerings.

(25) V. Gemara.

(26) I.e., in every case where the expression 'I take upon myself' was used, for this imposes a personal obligation for the fulfillment of the vow.

(27) Whether the expression 'I take upon myself' was used or not, and whether it was expressly

MENACHOS III – 59a-86a

stated that the drink-offerings be brought from Second Tithe or not.

(28) For the drink-offerings are wholly offered up, and whatsoever is wholly offered up may not be brought from Second Tithe (Tosaf).

(29) That it is to be brought only from what is unconsecrated.

(30) Yeb. 46a.

(31) For at that time the law of the Second Tithe had not been promulgated, and even later when this law was given it was not to come into force until the Israelites entered the Holy Land.

(32) The Passover-offering in Egypt could not possibly have been brought from Second Tithe (v. prec. n.) whereas that of future generations could.

(33) Since there was no altar in existence at that time.

Menachoth 82b

will you say the same of the Passover-offering of later generations which requires the sprinkling of the blood and the offering of the sacrificial portions upon the altar?¹ The other replied. Behold it is written, And thou shalt keep this service in this month,² [signifying] that all the services of this month should be like this.³

[Now let us consider the view of] R. Akiba. If he holds that it is not proper to infer the possible from the impossible, then let him stand by that argument [in refutation];⁴ and if he retracted it, and the only reason why he did not derive the law from the Passover-offering in Egypt was that refutation [which he raised], but surely [that can be countered by] the Passover-offering brought in the wilderness which proves [the reverse]!⁵ — He [R. Akiba] was arguing with R. Eliezer from his own standpoint. As for me, I hold that it is not proper to infer the possible from the impossible; but even from your point of view, that one may infer the possible from the impossible, there is surely this refutation: This was so of the Passover-offering in Egypt since it did not require the sprinkling of blood and the offering of the sacrificial parts upon the altar; will you say the same of the Passover-offering of later generations which requires the sprinkling of blood and the

offering of the sacrificial portions upon the altar? To this, however, R. Eliezer replied. It is written, 'And thou shalt keep'. But should not R. Eliezer have replied that the Passover-offering brought in the wilderness proves the reverse?⁶ — He [R. Eliezer] was arguing with R. Akiba from his own standpoint. As for me, I hold that it is quite proper to infer the possible from the impossible; and as for that refutation of yours, it can be countered by the Passover-offering brought in the wilderness which proves the reverse; but even from your point of view, that it is not proper to infer the possible from the impossible, [I reply that there is written.] 'And thou shalt keep'. But even now let him raise this objection!⁷ —

R. Shesheth answered, This proves that no objections can be entertained against a hekkesh.⁸ In the School garden⁹ it was asked, May that which has itself been inferred by a Hekkesch become the basis for another inference to be made from it again by a hekkesh?¹⁰ — It is derived from the class, for all the Passover-offerings from one class.¹¹ And whence does R. Akiba derive the law that the Passover-offering may be brought only from what is unconsecrated? — He derives it from the following teaching of Samuel in the name of R. Eliezer:¹² It is written, This is the law of the burnt-offering, of the meal-offering, and of the sin-offering, and of the guilt-offering, and of the consecration-offering, and of the sacrifice of peace-offerings.¹³ 'Burnt-offering': as the burnt-offering requires a vessel, so all the other offerings require a vessel. (What [vessel] is it that is meant? Shall I say a basin?¹⁴ But with regard to the peace-offerings of the congregation it is also written, And put it in basins!¹⁵ —

Rather it means a knife.¹⁶ And how do we know this of the burnt-offering itself? Because it is written, And Abraham stretched forth his hand, and took the knife to slay his son.¹⁷ And there it was a burnt-offering, as it is written, And offered him up for a burnt-

MENACHOS III – 59a-86a

offering in the stead of his son.)¹⁸ ‘Meal-offering’: as the meal-offering may be eaten only by the males of the priesthood, so all the other offerings may be eaten only by the males of the priesthood. (What [other offerings] are meant? It cannot be the sin-offering and the guilt-offering.

(1) Like peace-offerings; and as peace-offerings may be brought from Second Tithe, so it should also be with the Passover-offering.

(2) Ex. XIII, 5.

(3) I.e., the Passover-offering of future generations offered in this month shall be like this one in that it be brought only from what is unconsecrated.

(4) Why then did he put forward another argument in refutation?

(5) For it required the sprinkling of blood and offering of the sacrificial portions upon the altar — for an altar had already been set up — nevertheless it was brought only from what was unconsecrated since as yet the law of Second Tithe had not come into force.

(6) Why did he find it necessary to adduce this verse ‘And thou shalt keep’?

(7) Even against the inference drawn from the verse ‘And thou shalt keep’ R. Akiba can put forward the objection that it is not right to infer the possible from the impossible.

(8) V. Glos. The inference drawn from this verse is by Hekkesch or analogy.

(9) The garden where scholars of the academy used to congregate for general discussions, v. Kaplan, *The Redaction of the Talmud*, pp. 240ff. V. however Tosaf. s.v. **וּבְתַרְבִּיצָא**. Cf. the expression ‘**תַּאֲבִיצָא**’ in Rashi Yoma 62b, s.v. **וּמוֹסְפִין**, and Zeb. 104a, s.v. **וְהָעוֹר**.

(10) For it is desired in our Mishnah to conclude by a Hekkesch from the Passover-offerings of later generations that all obligatory offerings shall be brought only from what is unconsecrated; but this law with regard to Passover-offerings of later generations is itself inferred by a Hekkesch from the Passover-offering in Egypt, and it is an established rule that in matters appertaining to sacrifice one may not draw an inference by a Hekkesch from that which has itself been inferred by a Hekkesch. V. Zeb. 49b.

(11) The Tanna of our Mishnah derives the law that the thank-offering must be brought only from what is unconsecrated by Hekkesch from Passover-offerings in general, which include also the Passover-offering in Egypt.

(12) Zeb. 97b.

(13) Lev. VII, 37.

(14) For receiving the blood therein. This is expressly stated in connection with the burnt-offering, as it is written (Ex. XXIV, 5,6): And he sent the young men of the children of Israel who offered burnt-offerings... And Moses took half the blood and put it in basins.

(15) Ibid. 6. And in verse 5 it is written, And sacrificed peace-offerings.

(16) I.e., the instrument used for the slaughtering shall be something detached from the ground and not a flint or a reed that is attached to the ground (Rashi Zeb. 98a). Aliter: one must use a knife for the slaughtering and not kill the beast by tearing its organs with the hands as is the case with a bird-offering whose head is nipped by the priest with his finger.

(17) Gen. XXII, 10. The expression ‘and took’ implies something movable and not fixed.

(18) Ibid. 13.

Menachoth 83a

for this¹ is expressly stated of them.² Neither can it be the peace-offerings of the congregation,³ for this¹ is already deduced from the amplification of the following verse: In a most holy place shalt thou eat thereof; every male may eat thereof:⁴ this teaches us that the peace-offerings of the congregation may be eaten only by the males of the priesthood! —

Tannaim [hold different views] about it; some derive it⁵ from this [passage] and some from that.⁶

‘Sin-offering’: as the sin-offering renders holy [like itself] whatever has absorbed from it,⁷ so all the other offerings render holy [like themselves] whatever has absorbed from them.

‘Guilt-offering’: as with the guilt-offering neither the fetus-sac nor the afterbirth is holy.⁸ so with all other offerings neither the fetus-sac nor the afterbirth is holy. (He is of the opinion that the young of consecrated animals are themselves holy only when they come into being;⁹ and also that it is quite proper to infer the possible from the impossible.)¹⁰

MENOCHOS III – 59a-86a

‘Consecration-offering’: as in the case of the consecration-offering the remainder was burnt¹¹ but the living animal that was left over was not burnt,¹² so in the case of all other offerings the remainder is to be burnt but the living animal that might be left over¹³ is not to be burnt.

‘Peace-offerings’: as peace-offerings can make others¹⁴ Piggul and can also become Piggul themselves,¹⁵ so all the other offerings can make others Piggul and can also become Piggul themselves. In a Baraitha it was taught in the name of R. Akiba as follows: This is the law, etc.

‘Meal-offering’: as the meal-offering renders holy [like itself] whatever has absorbed from it,¹⁶ so all the other offerings render holy [like themselves] whatever has absorbed from them. (And this was necessary to be stated of the sin-offering as well as of the meal-offering. For had the Divine Law stated it only of the meal-offering [I would have said that this was so only of the meal-offering], because on account of its softness it could be absorbed, but I would not have said so of the sin-offering. And had the Divine Law only stated it of the sin-offering [I would have said that this was so only of the sin-offering], because on account of its fatness it could easily penetrate into the other matter, but I would not have said so of the meal-offering. Therefore both were necessary to be stated.)

‘Sin-offering’: as the sin-offering must be brought only from what is unconsecrated, and [must be sacrificed] by day, and [all the services in connection therewith must be performed] with the [priest's] right hand, so all the other offerings must be brought only from what is unconsecrated, and [must be sacrificed] by day, and [all the services in connection therewith must be performed] with the [priest's] right hand.¹⁷ (And whence do we know this¹⁸ of the sin-offering itself? —

R. Hisda answered, Because it is written, And Aaron shall offer the bullock of the sin-offering which is his;¹⁹ that is to say, it must come from his own means and not from the means of the community nor from the Second Tithe. Is not [the rule that offerings must be sacrificed] by day derived from [the verse], In the day that he commanded?²⁰ — It was indeed stated [above] to no purpose. Is not [the rule that all the services in connection therewith shall be performed with] the right hand derived from the following dictum of Rabbah b. Bar Hannah? For Rabbah b. Bar Hannah said in the name of Resh Lakish, Wherever the word ‘finger’ or ‘priest’ is used it signifies that the right hand only [shall be used]!²¹ — This too was stated [above] to no purpose.)

‘Guilt-offering’: as the bones of the guilt-offering are permitted for use,²² so the bones of all other offerings are permitted for use.²³ For what purpose does R. Akiba use the verse, And thou shalt sacrifice the Passover-offering?²⁴

- (1) That only male priests may eat of the offering.
- (2) Cf. Lev. VI, 22; VII, 6.
- (3) Sc. the two lambs offered on the Feast of Weeks, cf. Lev. XXIII, 19.
- (4) Num. XVIII, 10. The verse continues, It shall be holy unto thee; and the expression ‘holy’ includes the two lambs which are also described by the expression ‘holy’. cf. Lev. XXIII, 20.
- (5) That the peace-offerings of the congregation, sc. the two lambs, may be eaten only by the male priests.
- (6) From the expression ‘meal-offering’.
- (7) This is based on Lev. VI, 20: Whatsoever shall touch the flesh thereof shall be holy. Thus if the flesh of a peace-offering absorbed aught of the sin-offering, the former must be treated in the same sanctity as the sin-offering; if the sin-offering was invalid the flesh of the peace-offering becomes invalid too; and if the sin-offering was fit the other is to be eaten under the same stringency as the sin-offering, i.e., within a holy place and during one day.
- (8) For these cannot be found in the guilt-offering as it is a male animal.
- (9) But whatever is found in the womb of a consecrated animal is not holy.

MENACHOS III – 59a-86a

(10) I.e., to infer other offerings of female animals from the guilt-offering which must be a male animal.

(11) Cf. Ex. XXIX, 34.

(12) For no other animal was in fact set apart as a substitute for the consecration-offering.

(13) Where e.g., two animals were set apart for one offering as a measure of security, and one was left over, the latter was not burnt but was to be treated as the surplus of the offering; and so too with the young of an animal which had been consecrated pregnant.

(14) E.g., the drink-offerings that are brought with the peace-offering or the bread with the thank-offering. V. supra 15a and b.

(15) The law of Piggul (v. Glos.) is stated in Scripture only in connection with the peace-offerings, but by analogy it is extended to apply to all offerings.

(16) For also of the meal-offering as of the sin-offering it is written (Lev. VI, 11). Whatsoever toucheth them shall be holy.

(17) Thus we see R. Akiba deriving from 'sin-offering' the law that other offerings, including the Passover, cannot be brought except from what is unconsecrated.

(18) That it must be brought only of what is unconsecrated.

(19) Lev. XVI, 6.

(20) Ibid. VII, 38.

(21) V. supra 10a, and Hul. 22a.

(22) For profane purposes. Provided the bones are without marrow, v. Pes. 83a.

(23) The other items in this verse (ibid. 37) are interpreted by R. Akiba in the same way as R. Eliezer.

(24) Deut. XVI, 2. This verse is expounded in our Mishnah to teach that the thank-offering shall be brought only from what is unconsecrated; according to R. Akiba, however, this exposition is unnecessary, since he derives from the sin-offering the general rule that all obligatory offerings must be brought only from what is unconsecrated.

Menachoth 83b

— He requires it for the following teaching of R. Nahman. For R. Nahman said in the name of Rabbah b. Abbuha,¹ Whence do we know that the surplus of the Passover-offering² is brought as a peace-offering? Because it is said, And thou shalt sacrifice the Passover-offering unto the Lord thy God of the flock and the herd.³ But is not the Passover-offering brought only from the lambs and the

goats? It means that the surplus of the Passover-offering is to be [utilized] for something which comes from the flock and from the herd.⁴ But is its derived from this verse?

Surely it is derived from the following teaching of Samuel's father: It is written, And if his offering for a sacrifice of peace-offerings [unto the Lord] be of the flock:⁶ and Samuel's father said, This teaches that what comes [only] from the flock⁷ shall be offered as peace-offerings! And again, is it derived from this [latter] verse?

Surely it is derived from the following: It was taught:⁸ Lamb;⁹ this includes the fat tail of the Passover-offering.¹⁰ When it says, If [he bring] a lamb,⁹ it is to include the Passover-offering that has passed the age of one year¹¹ and the peace-offerings which are brought by virtue of the Passover-offering¹² for all the regulations of peace-offerings, viz., that they require the laying on of hands, the drink-offerings, and the waving of the breast and the thigh. Again, when it says, And if [his offering be] a goat.¹³ this interrupts the subject [and thereby] teaches that in the case of a goat [the burning of] the fat tail [upon the altar] is not required!¹⁴ —

There are three Scriptural texts;¹⁵ one is required for [the Passover-offering] which has passed the age of one year and whose time [for offering]¹⁶ has also passed, another for that which has not passed the age of one year but whose time [for offering] has passed. and a third for that which has not passed the age of one year and whose time [for offering] has not passed.¹⁷ And all [three texts] are necessary; for had [Scripture] taught us it only of that [Passover-offering] which had passed the age of one year and whose time [for offering] had also passed, I would have said that it was so¹⁸ only in that case seeing that it was absolutely rejected [from being offered as a Passover-offering], but I would not have said so of that [Passover-offering]

MENOCHOS III – 59a-86a

whose time [for offering] had passed but which had not passed the age of one year, since it is fit for the Second Passover.¹⁹ And had [Scripture] taught us it only of that [Passover-offering] whose time [for offering] had passed but which had not passed the age of one year, I would have said that it was so¹⁸ only in that case seeing that it was rejected [from being offered] for the first Passover, but I would not have said so of that [Passover-offering] whose time [for offering] had not passed and which had not passed the age of one year, since it is even fit for the first Passover. Hence [all texts] are necessary.

CHAPTER IX

MISHNAH. ALL THE OFFERINGS²⁰ OF THE CONGREGATION OR OF THE INDIVIDUAL MAY BE OFFERED FROM [PRODUCE GROWN] IN THE LAND [OF ISRAEL] OR OUTSIDE THE LAND, FROM THE NEW [PRODUCE] OR FROM THE OLD, EXCEPTING THE ‘OMER-OFFERING AND THE TWO LOAVES, WHICH MUST BE OFFERED ONLY FROM THE NEW PRODUCE AND FROM [PRODUCE GROWN] IN THE LAND. ALL [OFFERINGS] MUST BE OFFERED FROM THE CHOICEST PRODUCE. AND WHICH IS THE CHOICEST? MICHMAS²¹ AND ZANOHA²¹ RANK FIRST FOR THE QUALITY OF THEIR FINE FLOUR; SECOND TO THEM IS HAFARAIM²¹ IN THE VALLEY. THE [PRODUCE OF THE] WHOLE LAND²² WAS VALID, BUT THEY USED TO BRING IT FROM THESE PLACES.

GEMARA. Our Mishnah is not in accordance with the following Tanna. For it was taught: If the ‘Omer-offering was offered from the old produce it is valid, and so, too, if the Two Loaves were offered from the old produce they are valid, save that the precept has not been duly performed; the ‘Omer-offering-for it is written, Thou shalt bring for the meal-offering of thy first-fruits.²³ that is, even from the store-room;²⁴ and the Two Loaves-for it is written, Out of your dwellings,²⁵ but not

from [the produce grown] outside the Land; ‘Out of your dwellings’, even from the store-room. But has not a deduction already been drawn [from that expression]?²⁶ The verse reads, Ye shall bring,²⁷ even from the store-room. But is not this [latter expression] required to teach that every other offering that you make of a similar kind shall be like this!²⁸ — If for this only the verse should have read, ‘Thou shalt bring’; why does it say, Ye shall bring? You can therefore draw two deductions therefrom. But is it not written, The first?²⁹ — That is only a recommendation.³⁰ But does it not say, New?³¹ — That is required for [the following Baraita] which was taught: R. Nathan and R. Akiba³² said, If the Two Loaves were brought from the old produce they are none the less valid. How then am I to interpret the expression ‘new’? To signify that they shall be the first³³ of all meal offerings.³⁴ Now they³⁵ differ only concerning the new produce.³⁶

(1) Pes. 70b; Zeb. 9a.

(2) E.g. if a certain sum of money was put aside for the Passover-offering but it was not all expended. Or, if the animal set apart for the Passover-offering was lost and another was offered in its stead and later the original animal was found.

(3) Deut. XVI, 2.

(4) Sc. peace-offerings.

(5) That the surplus of the Passover-offering is offered as peace-offerings.

(6) Lev. III, 6. The expression ‘sacrifice of peace-offerings’ is obviously superfluous in this verse as the whole passage is dealing with the peace-offering.

(7) Sc. the Passover-offering.

(8) Pes. 96b, Zeb. 9a.

(9) Lev. III, 7. This word is superfluous for since the preceding verse speaks of an offering ‘of the flock’ and the subsequent passage of ‘a goat’, this passage must obviously be dealing with lambs.

(10) That it must be burnt together with the other sacrificial portions upon the altar. With all other offerings of sheep the fat tail is expressly stated to be burnt, hence it was necessary to include the Passover-offering.

(11) And so is unfit for its purpose, cf. Ex. XII, 5.

(12) I.e., הגינת ארבעה עשר the peace-offerings brought on the fourteenth day of Nisan as

MENOSCHOS III – 59a-86a

supplementary to the Passover-offering. These supplied the full meal for those members registered for the one Passover-offering, at the end of which the Passover-lamb was distributed, about an olive's bulk being given to each person. So Rashi MS. According to Rashi and Tos. the peace-offerings in the text are the surplus of the Passover-offering; v. Tosaf. s.v. וְשֵׁלֵמִים.

(13) Lev. III, 12.

(14) The 'and if' at the head of the passage is a disjunctive term, indicating that the provisions that apply to a lamb do not apply to a goat, unless expressly stated; and the fat tail is mentioned in connection with the former (v. 9) but not with the latter.

(15) The above three verses, viz., Deut. XVI, 2, Lev. III, 6, and ibid. 7, each informing us that the surplus of the Passover-offering must be offered as a peace-offering.

(16) Sc. the fourteenth day of Nisan.

(17) I.e., the lamb was set apart for a Passover-offering but was slaughtered before the Passover.

(18) That it is offered as a peace-offering.

(19) Observed on the fourteenth day of the second month (Iyar) by those who were prevented from keeping the first Passover either by reason of uncleanness or absence on a journey; v. Num. IX, 10ff.

(20) Sc. meal-offerings.

(21) So according to many MSS.; in cur. edd. these names are corrupt. All three are Biblical place-names; for Michmas (var: Machnis, Machmis) v. Ezra II, 27; for Zanotha (var: Zatha, Zinuha) v. Jos. XV, 34, 56; for Hafaraim (var. lec: 'Afraim (cf. Ephraim in II Chron. XIII, 19). 'Aforaim, Kufraim) v. Jos. XIX, 19.

(22) Lit., 'all the lands'; i.e., the various districts in the Land of Israel.

(23) Lev. II, 14.

(24) Lit., 'the upper-room', 'the attic'. I.e., produce from the previous year that has been stored up.

(25) Ibid. XXIII, 17.

(26) The expression 'out of your dwellings' is in the first place interpreted to exclude the produce grown outside Palestine, how then can it be interpreted a second time to include the old produce?

(27) Lev. XXIII, 17.

(28) V. supra p. 463.

(29) Both with regard to the 'Omer-offering and the Two Loaves, Lev. II, 12 and XXIII, 10, respectively. The first clearly implies the new produce.

(30) Nevertheless if old produce was used it is valid.

(31) Ibid. XXIII, 16.

(32) According to Sh. Mek.: 'R. Jacob'.

(33) Lit., 'the newest'.

(34) I.e., no meal-offering of the new corn shall be offered before the offering of the Two Loaves, even though the latter are offered of the old produce.

(35) Sc. the Tanna of our Mishnah and the Tanna of the Baraitha quoted.

(36) I.e., whether only the new produce must be used or even the old is valid.

Menachoth 84a

but as to the Land they do not differ at all, [for they both hold] that the 'Omer-offering and the Two Loaves must be offered from the [produce of the] Land [of Israel] and not from [that grown] outside the Land.

This view is clearly not in accord with that of the following Tanna. For it was taught: R. Jose son of R. Judah says, The 'Omer-offering may be offered from [what is grown] outside the Land. How then am I to interpret the expression 'when ye are come into the land'?¹ To signify that they were not bound to offer the 'Omer-offering before they entered the Land. Furthermore, he is of the opinion that the [prohibition of the] new corn² outside the Land [of Israel] is Biblical; that the expression 'your dwellings'³ implies wherever you may be dwelling;⁴ and that the expression 'when ye are come into the land' implies [that the prohibition comes into force only] at the time when you come [into the Land].⁴ Now since [the prohibition of the new corn outside the Land of Israel] is Biblical, we may surely offer [the 'Omer-offering therefrom].

We have learnt elsewhere:⁵ Those who kept guard over the after-growths in the Sabbatical years⁶ received their pay out of the terumath ha-lishkah.⁷ Rami b. Hama pointed out the following contradiction to R. Hisda: We have learnt: 'Those who kept guard over the after-growth in the Sabbatical year received their pay out of the terumath ha-Lishkah', but in contradiction to this we have also learnt:⁸ For food.⁹ but it must not be burnt!¹⁰ — He replied. 'The Divine Law

MENACHOS III – 59a-86a

says, Throughout your generations,¹¹ and you are suggesting that it be dispensed with!’¹² ‘Am I suggesting’, retorted the other, ‘that it be dispensed with? [I say] it can be offered of last year's produce!’ — ‘It must be fresh.¹³ and it is not so in that case’. ‘Then it can be offered of the fresh corn of last year's produce!’ — ‘The text says. Thou shalt bring... fresh.¹³ that is, it must be fresh at the time of offering, and it is not so in that case. It was stated: R. Johanan said,¹⁴ [It is written,] ‘Thou shalt bring... fresh’; R. Eleazar said,¹⁴ [It is written.] The first of your harvest,¹⁵ but not the end of your harvest.¹⁶

Rabbah raised the following objection:¹⁷ The verse, And if thou bring a meal-offering of first-fruits.¹⁸ refers to the meal-offering of the ‘Omer. Of what was it offered? Of barley. You say ‘of barley’; but perhaps it is not so but rather of wheat! Said R. Eliezer, The expression ‘in the ear’¹⁹ is stated in regard to the incidents in Egypt, and the expression ‘in the ear’¹⁸ is also stated as an ordinance for generations: just as ‘in the ear’ stated in regard to the incidents in Egypt referred to the barley, so ‘in the ear’ stated as an ordinance for generations refers to barley only.

R. Akiba said, We find that an individual must offer wheat as an obligation and also barley as an obligation; likewise we find that the community must offer wheat as an obligation and also barley as an obligation. Should you say, then, that the ‘Omer was offered of wheat, we would not find a case when the community must offer barley as an obligation! Another explanation: Should you say that the ‘Omer was offered of wheat, then the Two Loaves would not be first-fruits! Hence the reason for it is that it must be first-fruits.²⁰ This is indeed a refutation.

We have learnt elsewhere:²¹ First-fruits may be brought only from the seven species.²² and not

- (1) Ibid. 10.
- (2) Before the offering of the ‘Omer.
- (3) Lev. XXIII, 14.
- (4) Thus the prohibition of the new corn applies to the produce grown outside Palestine but comes into force only when Israel enter the Land.
- (5) Shek. IV, 1; B.M. 118a.
- (6) As there was no sowing in this year the spontaneous growth in the fields would in certain regions be guarded so as to bring from it the ‘Omer-offering.
- (7) הרומת הלשכה lit., ‘the offering of the chamber’; i.e., the funds contributed by the Shekel payers. V. Glos. s.v. terumah.
- (8) Bek. 12b.
- (9) Lev. XXV, 6.
- (10) How then can the after-growth be used for the ‘Omer’-offering seeing that a handful thereof must be burnt?
- (11) Ibid. XXIII, 14. I.e., this law was to continue in force for all time without interruption.
- (12) Every Sabbatical year.
- (13) Ibid. II, 14.
- (14) It is for the following reason that’ the ‘Omer may not be offered from last year's produce.
- (15) Ibid. XXIII, 10. Read קצירך for קצירכם.
- (16) And by taking last year's produce for the ‘Omer one would be offering it at the time when the harvest (sc. last year's harvest) is already at its end.
- (17) V. supra p. 405 and notes.
- (18) Lev. II, 14.
- (19) Ex. IX, 31.
- (20) I.e., the Two Loaves must be offered of this year's produce at the time when the wheat is at the beginning of its harvest; likewise the ‘Omer-offering when the barley is at the beginning of its harvest; hence last year's produce is invalid. This argument is in accord with R. Eleazar and refutes R. Johanan's view.
- (21) Bik. I, 3; Pes. 53a.
- (22) For which the land of Israel was famed, viz., wheat, barley, grapes, figs, pomegranates, olives, and dates. V. Deut. VIII, 8.

Menachoth 84b

from the dates in the hill-country nor from the produce in the valleys.¹ Said ‘Ulla, If one brought these they are not consecrated [as first-fruits].

Rabbah was once sitting and reciting this statement [of ‘Ulla] when R. Aha b. Abba raised the following objection against

MENOCHOS III – 59a-86a

Rabbah: It is written, An offering of first-fruits.² this signifies that it is to be the first of all meal-offerings; and so, too, it says, Also in the day of the first-fruits, when ye bring a new meal-offering unto the Lord in your feast of weeks.⁴ I thus know that it is to be the first⁶ before [all the meal-offerings of] wheat; whence do I know that it is to be the first before [all meal-offerings of] barley?⁷

Because the text repeats the word ‘new’;³ and as this word is not required [twice] for [the teaching that it is to be] the first before [all meal-offerings] of wheat, you may use it for [the teaching that it is to be] the first before [all meal-offerings] of barley. And whence do I know that it shall be offered before the first-fruits?⁹

Because the text states, And thou shalt observe the feast of weeks, even of the first-fruits of wheat harvest.¹⁰ I thus know that it shall be offered before the first-fruits of the wheat harvest; but whence do I know that it shall be offered before the first-fruits of the barley harvest?

Because the text states, And the feast of harvest, the first-fruits of thy labors which thou sowest in the field.¹¹ I thus know that it shall be before [the harvest] which thou sowest; whence do I know that it shall be before that which grew of itself?

Because the text states, In the field.¹¹ I thus know that it shall be before that which grew in the field; but whence do I know that it shall also be before that which grew on the roof, or among ruins, or in a plant-pot, or in a ship?¹²

Because the text states, The first-fruits of all that is in their land.¹³ And whence do I know that it shall be before the drink-offerings [of the new fruits] and the new fruits of the tree?¹⁴

Because it says here, The first-fruits of thy labours,¹⁵ and it says there, When thou

gatherest in thy labors out of the field;¹⁶ as there it¹⁷ includes the [fruits for the] drink-offerings and the fruits of the tree, so here it includes the drink-offerings and the fruits of the tree. Now it stated above ‘that which grew on the roof, or among ruins, or in a plant-pot, or in a ship’!¹⁸ —

This last clause refers to meal-offerings.¹⁹ To this R. Adda b. Ahabah demurred, saying, But then it says in that same verse, Every one that is clean in thy house may eat thereof;²⁰ [so that it cannot refer to meal-offerings since] meal-offerings may be eaten only by the males of the priesthood! —

R. Mesharsheya replied. There are two [ordinances in this] verse: Shall be thine,²¹ and ‘Every one that is clean in thy house may eat thereof’. How are they to be explained? The latter refers to the first-fruits and the former to meal-offerings. R. Ashi said, The entire verse speaks of meal-offerings, but the latter part refers to the [priestly portion of the] cakes of the thank-offering.²² There is also the following dispute [on the matter]. R. Johanan said, If one brought [these fruits],²³ they are not consecrated [as first-fruits]. But Resh Lakish said, If he brought them they are consecrated [as first-fruits], for they are considered in the same light as a lean beast that was offered for an offering.²⁴ Now Resh Lakish's view is clear, as he states his reason for it; but what is the reason for R. Johanan's view? —

R. Eleazar replied. ‘I saw R. Johanan in a dream, so [I am sure that] I will say an excellent thing. The verse says. Of the first,²⁵ but not all the first[-fruits];²⁶ it also says, From thy land,²⁵ but not from every part of thy land’.²⁷ And to what purpose does Resh Lakish apply this expression ‘from thy land’? — He requires it for the exposition given in the following Baraitha: R. Gamaliel son of Rabbi says, The word ‘land’²⁵ is stated here and the word ‘land’ is stated there;²⁸ as there it refers to the species for which the land was

MENOCHOS III – 59a-86a

famed, so here it refers to the species for which the land was famed.²⁹ And the other?³⁰ — [For that exposition the expression] ‘land’ [is sufficient], but [there is also written] ‘from thy land’.³¹ And the other?³² — He does not accept [as separate expositions] ‘land’ and ‘from thy land’.

One [Baraitha] taught: A man may bring the produce grown on a roof, or among ruins, or in a plant-pot, or in a ship [as first-fruits], and also make the recital.³³ But another [Baraitha] taught: He may bring it but does not make the recital. Now according to Resh Lakish there is no contradiction between [the rulings concerning the produce grown on] a roof, for one³⁴ [Baraitha] speaks of the roof of a cave³⁵ and the other³⁶ of the roof of a house. Likewise there is no contradiction between [the rulings concerning what is grown among] ruins, for one³⁴ [Baraitha] speaks of ruins that have been tilled,³⁵ and the other of ruins that have not been tilled. Likewise there is no contradiction between [the rulings concerning what is grown in] a plant-pot, for one³⁴ [Baraitha] speaks of a perforated [pot] and the other of an unperforated [pot]. Likewise there is no contradiction between [the rulings concerning what is grown in] a ship, for one [Baraitha]³⁶ speaks of a ship made of wood and the other³⁷ of a ship made of clay.

(1) For they are of inferior quality.

(2) Lev. II, 12. According to Rabbinic interpretation this refers to the Two Loaves and to the first-fruits; v. supra 58a.

(3) Sc. the offering of the Two Loaves; and so throughout this passage.

(4) Num. XXVIII, 26.

(5) Sc. the offering of the Two Loaves; and so throughout this passage.

(6) Lit., ‘the newest.’

(7) I.e., that no private offering of the new produce of barley (e.g., the meal-offering of jealousy. cf. Num. V, 15) shall be offered before the Two Loaves, V. Rashi MS.

(8) Cf. Lev. XXIII, 16 and Num. XXVIII, 26.

(9) I.e., before the first-fruits of wheat.

(10) Ex. XXXIV, 22. Thus the offering of the Feast of Weeks, I.e., the Two Loaves, shall even be before the first-fruits of the wheat harvest.

(11) Ibid. XXIII, 16. ‘Thy labors which thou sowest’ includes the barley harvest.

(12) That the first-fruits gathered from the roof, etc. shall not be offered before the Two Loaves.

(13) Num. XVIII, 13.

(14) I.e., that drink-offerings from the new crops of olives and grapes, and the fruits of the first-fruits (excluding the corn) shall not be offered before the Two Loaves.

(15) Ex. XXIII, 16.

(16) Ex. XXIII, 16. This refers to the feast of ingathering, Sukkoth, at the end of the agricultural year when everything is gathered in from the field.

(17) The expression ‘thy labors’.

(18) It was said that the produce grown on a roof, etc. may be offered as first-fruits (save it may not be offered before the offering of the Two Loaves; v. supra p. 510, n.9); how much more is it permitted to offer as first-fruits that which grew on the hill-country or in the valleys! Thus ‘Ulla’s view is refuted.

(19) I.e., that meal-offerings brought from produce grown on a roof, etc. (although invalid as first-fruits, in accordance with ‘Ulla’s view) may not be offered before the offering of the Two Loaves.

(20) Num. XVIII, 13.

(21) Ibid. This regulation implies only the males.

(22) Which may be eaten by every one of the priestly stock, males and females alike. V. Zeb. V, 7.

(23) Sc. the dates of the hill-country and the produce of the valley as first-fruits.

(24) Which undoubtedly is consecrated.

(25) Deut. XXVI, 2.

(26) Thus excluding all other kinds of fruit apart from the seven species enumerated in Deut. VIII. 8. V. supra p. 509, n. 6.

(27) Thus excluding the dates in the hill-country and the produce in the valleys.

(28) Deut. ibid.

(29) But among the seven species all fruits are valid as first-fruits, even those growing in the hill-country and in the valleys.

(30) What answer can R. Johanan give to this argument?

(31) This suggests another exposition, taking ‘from’ in a partitive sense, thus excluding inferior quality fruits.

(32) Resh Lakish.

(33) At the presentation of the first-fruits at the Sanctuary. V. Deut. XXVI, 5-11.

(34) The first Baraitha.

MENOCHOS III – 59a-86a

(35) This is regarded as land in the ordinary sense, and the produce thereof may be brought as first-fruits.

(36) The second Baraitha.

(37) The first Baraitha.

(38) What is grown in this ship is regarded as grown on land. V, however, Tosaf. s.v. ךסג).

Menachoth 85a

There is here, however, a difficulty for R. Johanan!¹ — Tannaim [differ in this matter], for it was taught: A man may bring [as first-fruits] what [is grown] on a roof or among ruins² and also make the recital; but what [is grown] in a plant-pot and in a ship he may not bring at all.³

ALL [OFFERINGS] MUST BE OFFERED FROM THE CHOICEST PRODUCE, etc. Johana⁴ and Mamre⁴ said to Moses, ‘Wouldst thou carry straw to Hafaraim?’⁵ He answered them, ‘There is a common saying. “Bring herbs to Herbtown”.’⁶

MISHNAH. ONE MAY NOT BRING [IT]⁷ FROM THE PRODUCE OF A MANURED FIELD⁸ OR FROM AN IRRIGATED FIELD⁹ OR FROM A FIELD STOCKED WITH TREES;¹⁰ BUT IF ONE DID BRING IT [FROM THESE] IT WAS VALID. HOW WAS IT¹¹ PREPARED? IN THE FIRST YEAR IT WAS BROKEN UP AND IN THE SECOND YEAR IT WAS SOWN SEVENTY DAYS BEFORE PASSOVER; THUS IT WOULD PRODUCE FINE FLOUR IN ABUNDANCE. HOW WAS IT TESTED?¹² THE TEMPLE-TREASURER USED TO THRUST HIS HAND INTO IT; IF SOME DUST CAME UP IN [HIS HAND] IT WAS INVALID, UNTIL IT WAS SIFTED [ONCE MORE]. IF IT HAD BECOME MAGOTTY IT IS INVALID.

GEMARA. How WAS IT PREPARED? IN THE FIRST YEAR IT WAS BROKEN UP, etc. The question was raised: What is meant by this? [Does it mean that] it was broken up in the first year and in the second year it was again broken up and then sown, or that it was broken up in the first year and in the

second year it was sown without having been broken up again? —

Come and hear: R. Jose said, They would have brought it¹³ even from the wheat of Karzaim¹⁴ and of Kefar Ahim¹⁵ if only they had been nearer to Jerusalem;¹⁶ since they may bring the ‘Omer-offering only from the fields in the south,¹⁷ and which had been broken up for the purpose, for upon these fields the sun rises and upon these the sun sets.¹⁸ How was [the field] prepared? In the first year it was broken up and in the second year it was plowed twice, and it was sown seventy days before the Passover so that it might be close upon the [increasing strength of the] sun;¹⁹ thus it would bring forth stalks one span long and ears two spans long. It was then reaped, bound into sheaves, threshed, winnowed, cleansed, ground, and sifted, and then brought to the Temple-treasurer. The Temple-treasurer would thrust his hand into it; if some dust came up in his hand he would say to him [who brought it]. ‘Go and sift it a second time’ — In the name of R. Nathan it is said, The Temple-treasurer used to smear his hand with oil and thrust it into the flour until he had brought up all the dust.²⁰ Now it expressly stated above, ‘[And in the second year] it was plowed twice!’²¹ — But even as you would have it, [is not this Baraitha in conflict with our Mishnah]? For our Mishnah does not say ‘twice’,

(1) For according to both Baraithas the produce grown on a roof etc, may be brought as first-fruits, yet R. Johanan holds that what is grown in the hill-country or in the valleys is not consecrated as first-fruits!

(2) I.e., on the roof of a cave, which is soil in its natural state, and among ruins that have been broken up and tilled. This is a superior growth to that grown in the hill-country or in the valley.

(3) For it is of inferior quality; and so too the fruits of the hill-country and in the valleys.

(4) They were the chief magicians in Egypt in the time of Moses. They are mentioned in Jewish literature also under the name of Jannes and Jambres. V. J. E. VIII, p. 71.

(5) So MS.M. and other MSS.; in cur. edd. ‘Afraim, v. note on this word in Mishnah, supra p.

MENACHOS III – 59a-86a

506. Hafaraim was a town where apparently there was a plentiful supply of straw, and so it became proverbial to describe wasted efforts as 'carrying straw to Hafaraim'. (Cf. to carry coals to Newcastle'). As Egypt was reputed to be a land of magic and sorcery these magicians thus taunted Moses when he performed his wonders before the Pharaoh.

(6) For all merchants flock there and the demand for herbs is great.

(7) Sc. the 'Omer-offering or the Two Loaves (Rashi MS.). According to Tosaf., the reference is to all meal-offerings.

(8) For it is feared that the field might not have been sufficiently manured; or because the manure would impair the taste of the crops.

(9) For it may not have been sufficiently watered.

(10) And the crops are sown among the trees. The trees draw off the richness of the soil so that the crops are of a poor quality.

(11) Sc. the field, that it might produce an abundant crop of the finest quality.

(12) To ascertain whether the flour had been sufficiently sifted.

(13) Here apparently the reference is to all meal-offerings, notwithstanding the mention of the 'Omer-offering later in this sentence, since wheat is expressly mentioned and wheat was not offered in the 'Omer-offering but barley. On the other hand, it might very well be that the word 'חֵיטִי, translated wheat, is part of the name of the place, the whole being a compound place-name חֵיטִי חֵיטִי V. Tosaf. s.v. חֵיטִי.

(14) Var. lec. Barhaim (Tosef. IX). Karwaim (MS.M.). Probably It is the Kharazin mentioned in the N.T. (Matt. XI, 21, Luke X, 13). V. Neubauer Geographie p. 220.

(15) Var. Kefar Ahus (Tosef. ibid.). K. Ahis, K. Ahia (MSS.). The name is very likely a variant of Kefar Nahum, i.e., Capernaum. V. Neubauer p. 221.

(16) For it is not proper to let pass the opportunity of performing the precept, and as there could be found produce of a similar good quality in places nearer Jerusalem that must be used.

(17) Sc. of Palestine (Rashi). According to Tosaf fields on a hill-side facing south.

(18) I.e., the sun is shining on these fields for the greater part of the day.

(19) When the sun's rays would have a beneficial effect upon the sowing.

(20) For only the fine dust in the flour would adhere to his hand.

(21) From this Baraitha it is evident that our Mishnah must mean that the field was broken up (i.e., plowed) even in the second year.

Menachoth 85b

whilst this Baraitha expressly says 'twice'! — This is no difficulty, for in the one case the field had been tilled¹ [in the first year], and in the other it had not been tilled. How is it then [with regard to our original question]?² —

Come and hear, for it was taught: Half of [the field] was broken up and the other half sown, and [in the following year] half of it was broken up and the other half sown.³ R. Johanan said. The 'Omer-offering was brought only from [the produce of] fields in the south of the Land of Israel, upon which the sun rises and upon which the sun sets. Half of the field was broken up while the other half was sown.⁴

It was taught: Abba Saul said, The 'Omer-offering was usually brought from the [produce of the] valley of Beth Makleh.⁵ which was an area that produced three se'ahs; it lay in the south and the sun rose upon it and the sun set upon it. Half of it was broken up while the other half was sown, and [in the following year] half of it was broken up and the other half was sown. R. Hilkiyah b. Tobi had a piece of land; one half he broke up and the other half he sowed, and [similarly in the following year] one half he broke up and the other half he sowed. It thus brought forth twofold, and he sold the wheat for fine flour.

IF IT HAD BECOME MAGGOTY IT IS INVALID. Our Rabbis taught: If the greater part of the fine flour became maggots it is invalid; if the greater part of the wheat became maggots it is invalid. R. Jeremiah enquired. Does it mean the greater part of each grain [of wheat],⁶ or the greater part of the se'ah [of wheat]?⁷ — The question remains undecided.

Raba raised this question. If a man consecrated [maggoty flour for a meal-offering] does he incur stripes for

MENOSCHOS III – 59a-86a

consecrating a blemished thing or not?⁸ Since it is unfit for the offering it is like a blemished animal; or [shall we say that the prohibition of] a blemished thing applies only to animals? — The question remains undecided.

We have learnt elsewhere: Any wood in which was found a worm is unfit [to be burnt] upon the altar.⁹ Samuel said, This was taught only [if found] in damp wood, but in dry wood it can be scraped away and [the wood] is valid.

Raba raised the question. If a man consecrated it¹⁰ does he incur stripes for consecrating a blemished thing or not? Since it is unfit it is like a blemished animal; or [shall we say that] the prohibition of a blemished thing applies only to animals? — This too remains undecided.

MISHNAH. TEKOA¹¹ RANKS FIRST FOR THE QUALITY OF ITS OIL. ABBA SAUL SAYS, SECOND TO IT IS REGEB¹² BEYOND THE JORDAN. THE [OIL OF THE] WHOLE LAND WAS VALID, BUT THEY USED TO BRING IT ONLY FROM THESE PLACES. ONE MAY NOT BRING IT FROM A MANURED FIELD¹³ OR FROM AN IRRIGATED FIELD¹³ OR FROM OLIVE-TREES¹³ PLANTED IN A FIELD SOWN WITH SEEDS; BUT IF ONE DID BRING IT [FROM THESE] IT WAS VALID. ONE MAY NOT BRING ANFAKINON,¹⁴ YET IF ONE DID BRING IT, IT WAS VALID.¹⁵ ONE MAY NOT BRING IT FROM OLIVE-BERRIES WHICH HAD BEEN SOAKED IN WATER OR PRESERVED OR STEWED; AND IF ONE DID BRING IT, IT WAS INVALID.

GEMARA. And Joab sent to Tekoa and fetched thence a wise woman.¹⁶ Why to Tekoa? — R. Johanan said, Because they were accustomed to olive oil, wisdom could be found among them.

Our Rabbis taught: And let him dip his foot in oil:¹⁷ this refers to the territory of Asher which flowed with oil like a fountain. It is

related that once the people of Laodicea were in need of oil; they appointed an agent¹⁸ and instructed him, 'Go and purchase for us a hundred myriad [manehs'] worth of oil'. He came first to Jerusalem and was told, 'Go to Tyre'. He came to Tyre and was told, 'Go to Gush Halab'.¹⁹ When he came to Gush Halab he was told, 'Go to So-and-so in that field'. [He went there] and found the man breaking up the earth around his olive trees. [The agent] said to him. 'Have you a hundred myriad [manehs'] worth of oil that I require?' 'Yes', replied the other; 'but wait until I finish my work'. He waited until the other had finished his work. After he had finished his work he threw his tools on his back and went on his way, removing the stones from his path as he went.²⁰ The agent thought to himself,²¹ 'Has this man really got²¹ a hundred myriad [manehs'] worth of oil? I see that the Jews have merely made game of me'. As soon as he reached his home town that man's maidservant brought out to him a bowl of hot water and he washed his hands and his feet. She then brought out to him a golden bowl of oil and he dipped in it his hands and his feet, thus fulfilling the verse, 'And let him dip his feet in oil'. After they had eaten and drunk the man measured out to the agent a hundred myriad [manehs'] worth of oil, and then asked, 'Do you perhaps need any more oil?' 'I do, indeed', replied the agent; 'but I have no more money with me'. 'Well, if you wish to buy more, take it, and I will go back with you for the money', said the man. He then measured out for him another eighteen myriad [manehs'] worth of oil. It is said that he²² hired every horse, mule, camel and ass that he could find in all the Land of Israel. When he reached his home town all the townspeople came out to meet him and applaud him. 'Do not applaud me', he said to them, 'but this man, my companion, who measured out for me a hundred myriad [manehs'] worth of oil, and whom I still owe eighteen myriad [manehs]'. This illustrates the verse, There is that pretendeth himself rich, yet hath nothing; there is that

MENACHOS III – 59a-86a

pretendeth himself poor, yet hath great wealth.’²³

ONE MAY NOT BRING IT FROM A MANURED FIELD, etc. But has it not been taught that one may not bring anfakinon

(1) This is the case of our Mishnah, hence the Tanna of our Mishnah did not state ‘twice’, for since the field was tilled in the first year it was not necessary to plow it twice in the second year. The question, however, still remains whether according to the Tanna of our Mishnah it is necessary to plow it once in the second year before the sowing or not!

(2) V. prec. n. The most lucid interpretation of the entire passage is to be found in the commentary משנה להם on Maim. Yad, Issure Mizbeah. VII, 4.

(3) Each year only half of the field was sown and the other half lay fallow, but the parts were reversed in alternate years, thus the half that lay fallow in the previous year was now sown, and the half that was sown then was now broken up. It is evident therefore that there was no breaking up of the field before the sowing. There is, however, a difference of opinion between the commentators as to whether it was necessary in the first year. i.e., at the outset when cultivating the field, to break up the whole field or only half.

(4) So MS.M. and Sh. Mek. This sentence is omitted in cur. edd.

(5) In the valley of Kidron; cf. Tosef. Men. X.

(6) But if only a small part of each grain had become maggoty it is still valid.

(7) I.e., if the greater part of the quantity of wheat intended for the meal-offering had become maggoty, even though there are in the mass many grains that have not been affected, the whole is invalid.

(8) For consecrating a blemished animal one incurs the penalty of stripes on five counts, v. Tem. 6b.

(9) Mid. II, 5.

(10) Sc. wood with worms.

(11) Cf. Amos I, 1; a city S.E. of Bethlehem (Neub. op. cit. p. 129). According to Graetz and Bacher, it is a town in Galilee.

(12) Probably Ragaba mentioned in Josephus, Ant. XIII, 15, 5.

(13) The olives grown here are of an inferior quality.

(14) אנפקינן (so MS.M.; cur. edd. אנפקינן is corrupt) = **, oil made of unripe olives. V. Gemara.

(15) In many MSS. and in the Mishnah edd. the reading is INVALID.

(16) II Sam. XIV, 2.

(17) Deut. XXXIII, 24.

(18) אנפמליטוס Jast. suggests the reading פולמוסטוס **, manager, commissioner. V. B.B., (Sonc. ed.) p. 617 n. 7.

(19) In Upper Galilee. Cf. Gischala mentioned by Josephus.

(20) This led the agent to believe that the man whom he was accompanying was not wealthy and that he certainly could not supply him with all the oil he required.

(21) Adopting’ the reading as in MS.M. אמר פולמוסרא לזה יש לו וכו’.

(22) The agent. Lit., ‘that man did not leave out either a horse... which he did not hire’.

(23) Prov. XIII, 7.

Menachoth 86a

and if one did bring it, it was invalid, for it is only the sap [of the olive]? — R. Joseph answered, It is no difficulty; one teaching¹ represents the view of R. Hiyya, and the other represents the view of R. Simeon son of Rabbi. For R. Hiyya used to throw it² away, while R. Simeon son of Rabbi used to dip his food in it. And in order to remember this think of the saying. ‘The rich are parsimonious’.³ ‘Six months with oil of myrrh.’⁴ What is oil of myrrh? — R. Huna b. Hiyya said, It is stacte.⁵ R. Jeremiah b. Abba said, It is oil from olives not a third grown. It was taught: R. Judah says. Anfakinon is the oil of olives not a third grown. And why is it used for smearing? Because it removes the hair and softens the skin.

ONE MAY NOT BRING IT FROM OLIVE-BERRIES WHICH HAD BEEN SOAKED IN WATER. Our Rabbis taught: Oil from olives which had been preserved or stewed or soaked in water, or oil from the olive dregs, or from foul smelling olives may not be brought, and if it was brought it is invalid. Rabba raised the question, If a man consecrated it does he incur stripes for consecrating a blemished thing or not? Since it is unfit it is like a blemished animal; or [shall we say that] the prohibition of a blemished thing applies only to animals? — This question remains undecided.

MENOCHOS III – 59a-86a

MISHNAH. THERE ARE THREE [PERIODS OF GATHERING IN THE] OLIVES AND EACH CROP GIVES THREE KINDS OF OIL.⁶ THE FIRST CROP OF OLIVES IS WHEN THE OLIVES ARE PICKED⁷ FROM THE TOP OF THE TREE; THEY ARE POUNDED⁸ AND PUT INTO THE BASKET⁹ (R. JUDAH SAYS, AROUND THE BASKET);¹⁰ THIS GIVES THE FIRST OIL.

THEY¹¹ ARE THEN PRESSED WITH THE BEAM (R. JUDAH SAYS, WITH STONES);¹² THIS GIVES THE SECOND OIL. THEY¹³ ARE THEN GROUND AND PRESSED AGAIN; THIS GIVES THE THIRD OIL. THE FIRST [OIL] IS FIT FOR THE CANDLESTICK AND THE OTHERS FOR MEAL-OFFERINGS. THE SECOND CROP IS WHEN THE OLIVES AT ROOF-LEVEL¹⁴ ARE PICKED FROM THE TREE; THEY ARE POUNDED AND PUT INTO THE BASKET (R. JUDAH SAYS, AROUND THE BASKET); THIS GIVES THE FIRST OIL.

THEY ARE THEN PRESSED WITH THE BEAM (R. JUDAH SAYS, WITH STONES); THIS GIVES THE SECOND OIL. THEY ARE THEN GROUND AND PRESSED AGAIN; THIS GIVES THE THIRD OIL. THE FIRST [OIL] IS FIT FOR THE CANDLESTICK AND THE OTHERS FOR MEAL-OFFERINGS. THE THIRD CROP IS WHEN THE LAST OLIVES¹⁵ OF THE TREE ARE PACKED IN THE VAT UNTIL THEY BECOME OVERRIPE;¹⁶ THEY ARE THEN TAKEN UP AND DRIED ON THE ROOF, AND THEN POUNDED AND PUT INTO THE BASKET (R. JUDAH SAYS, AROUND THE BASKET); THIS GIVES THE FIRST OIL.

THEY ARE NEXT PRESSED WITH THE BEAM (R. JUDAH SAYS, WITH STONES) THIS GIVES THE SECOND OIL. THEY ARE THEN GROUND AND PRESSED AGAIN; THIS GIVES THE THIRD OIL. THE FIRST [OIL] IS FIT FOR THE CANDLESTICK AND THE OTHERS FOR MEAL-OFFERINGS.

GEMARA. It was asked: Does the Mishnah read megargero or megalgelo?¹⁷ — Come

and hear, for it was taught: Olive oil,¹⁸ that is, from the olive tree.¹⁹ Hence they said, The first crop is when the fully ripe olives are picked²⁰ from the top of the tree; they are brought into the olive-press, are ground in a mill and put into baskets. The oil which oozes out is the first kind [of oil]. They are then pressed with the beam, and the oil which oozes out is the second kind. Then they are taken out [of the olive-press] and ground and pressed again; this gives the third kind. The first kind is fit for the candlestick and the others for meal-offerings. The same [procedure applies] to the second crop of olives. The third crop of olives is when the last olives of the tree are packed in the vat until they become overripe; they are then taken up on to the roof and dried in the same manner as dates, until the juice has run off. They are then brought into the olive-press, are ground in a mill and put into baskets; and the oil which oozes out is the first kind [of oil]. They are then pressed with the beam; and the oil which oozes out is the second kind. Then they are taken out [of the olive-press] and ground and pressed again; this gives the third kind. The first kind is fit for the candlestick and the others for meal-offerings. R. Judah says. The olives were not ground in a mill but pounded in a mortar; they were not pressed with the beam but with stones; and they were not put into the baskets but around the sides of the baskets. Is not [the text itself of our Mishnah] self-contradictory? The statement THEY ARE POUNDED is in agreement with R. Judah whilst the statement PUT INTO THE BASKET is in agreement with the Rabbis! — This Tanna [of our Mishnah] agrees with R. Judah in one thing and disagrees with him in the other.

MISHNAH. As TO THE FIRST OIL OF THE FIRST CROP, THERE IS NONE BETTER THAN IT. THE SECOND OIL OF THE FIRST CROP AND THE FIRST OIL OF THE SECOND CROP ARE EQUAL. THE THIRD OIL OF THE FIRST CROP. THE SECOND OIL OF THE

MENOCHOS III – 59a-86a

SECOND CROP. AND THE FIRST OIL OF THE THIRD CROP ARE EQUAL. THE THIRD OIL OF THE SECOND CROP AND THE SECOND OIL OF THE THIRD CROP ARE EQUAL. AS TO THE THIRD OIL OF THE THIRD CROP. THERE IS NONE WORSE THAN IT.

BY RIGHT IT COULD BE INFERRED BY THE FOLLOWING ARGUMENT THAT MEAL-OFFERINGS SHOULD REQUIRE THE PUREST OLIVE OIL: IF THE CANDLESTICK, WHICH DOES NOT NEED [THE OIL] FOR EATING, REQUIRES PURE OLIVE OIL, HOW MUCH MORE DO MEAL-OFFERINGS, WHICH [NEED THE OIL] FOR EATING,²¹ REQUIRE PURE OLIVE OIL! BUT THE TEXT STATES, PURE OLIVE OIL BEATEN FOR THE LIGHT,²² BUT NOT 'PURE OLIVE OIL BEATEN FOR MEAL-OFFERINGS.

(1) Sc. the Baraitha which states that anfakinon is absolutely invalid.

(2) Sc. anfakinon, the sap of the olives.

(3) Thus informing us that it was R. Simeon, the son of the Nasi and a wealthy man, who would use it with his food. Cf. Hul. 46a.

(4) Esth. II, 12.

(5) Heb. סטכתא, oil of myrrh.

(6) Another interpretation is: There are three ways of making ready the olives and from each of them come three kinds of oil.

(7) Heb. מגרגרו from root גרגר = to pick single berries as soon as they ripen. According to the other interpretation the translation of this sentence would read: The first way of making ready the olives is this: the olives are allowed to become fully ripe. then they are pounded, etc.

(8) In a mortar.

(9) And the oil oozes out and filters through the basket into the vessel below.

(10) The pounded olives are placed around the sides of the basket so that the oil when it oozes out does not mix with any solid matter but runs down the sides and filters through the bottom of the basket.

(11) Sc. the pounded olives.

(12) But not with the beam, for the heavy pressure of the beam would squeeze out the dregs with the oil.

(13) Sc. the olives after being pressed.

(14) I.e., the middle branches of the tree, whose fruits do not ripen as early as the fruit on the top branches. As olive-trees often grew near the houses it was even possible to pluck the olives

from the middle branches while standing on the roof. According to the other interpretation mentioned supra p. 519, n. 6, the translation here would be: The second way of making ready the olives is this: The olives are allowed to become fully ripe on the rood-tops, then they are ground, etc.

(15) I.e., those on the lowest branches which for lack of sun will never ripen on the tree. According to the other interpretation mentioned the rendering here would be: The third way of making ready the olives is this: the olives are packed, etc.

(16) Lit., 'become rotten'.

(17) Heb. מגלגלו or מגרגרו The question may be simply orthographical, and the two words really bear the same meaning, viz., to pick single fruits as soon as they ripen. Aliter: מגרגרו, to pick single berries; מגלגלו, to allow the olives to remain on the tree until they are fully ripe (cf. ביצה מגולגלת, a well-roasted egg) and then pick them.

(18) Ex. XXVII, 20.

(19) I.e., the olives must be fully ripe on the tree before being plucked.

(20) Heb. מגלגלו. V. notes on the Mishnah.

(21) I.e., for burning upon the altar, which is described as 'eating'. cf. Lev. VI, 3.

(22) Ex. XXVII, 20.