

# III.

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## BAVLI MEILAH CHAPTER THREE

### FOLIOS 10B-14B

#### 3:1

- A. (1) The offspring of a sin offering, and (2) the substitute of a sin offering, and (3) a sin offering, the owner of which died, are left to die.
- B. [The sin offering] (1) which became superannuated, or (2) which was lost, or (3) which turned out to be blemished,
- C. if [this is] after the owner has effected atonement, is left to die, and does not impart the status of substitute [to an animal designated in its stead].
- D. And it is not available for enjoyment but is not subject to the law of sacrilege.
- E. [11A] And if [this is] before the owner has effected atonement,
- F. it is put out to pasture until it suffers a blemish, then is sold, and with its proceeds he [the owner] brings another, and it does impart the status of substitute [to an animal designated in its stead].
- G. And it is subject to the law of sacrilege.

**I.1.** A. *What differentiates the first case in which there is no distinction between whether or not the owner has effected atonement and the second case in which that differentiation is introduced?*

- B. *In the first case, the matter is clear to the framer of the passage [since the sin offering and the like are holy and always left to die], but in the second instance, matters are not so self-evident [for if the owner has not yet presented his sin offering, the animals have to be replaced].*

**I.2.** A. *Why is the same Mishnah-passage repeated with respect to the law of the substitute [M. Temurah 4:1] as well as the present case?*

- B. *The law is repeated in that context in the setting of the substitute and here in the setting of the laws of sacrilege.*

The two points of clarification of the Mishnah exhaust the Talmud's discussion of the matter.

#### 3:2

- A. **He who sets aside coins for his Nazirite offering[s] [Num. 6:14: a he -lamb as a burnt offering, a ewe-lamb as a sin offering, a ram as a peace offering] —**

- B. they [the coins] are not available for benefit.
- C. But they [the coins] are not subject to the laws of sacrilege, because they [the sacrifices] are appropriate to be offered wholly as peace offerings [Lesser Holy Things, not subject to sacrilege before the blood is tossed].
- D. [If] he died,
- E. [if] they were not designated [for their particular, respective purposes], they fall [to the Temple treasury] as a freewill offering.
- F. [If] they were designated [for their particular, respective purposes], the money set aside for the sin offering is to go to the Salt Sea.
- G. They are not available for benefit, but they are not subject to the laws of sacrilege.
- H. [With] the money set aside for the burnt offering, they are to bring a burnt offering.
- I. And [with] the money set aside for peace offerings, they are to bring peace offerings.
- J. And they are eaten for one day [M. Zeb. 5:6] and do not require bread [Num. 6:19].

- I.1.** A. [He who sets aside coins for his Nazirite offering[s] — they [the coins] are not available for benefit. But they [the coins] are not subject to the laws of sacrilege, because they [the sacrifices] are appropriate to be offered wholly as peace offerings:] *Objected R. Simeon b. Laqish, “The passage also should repeat as part of the Tannaite rule, One who sets aside coins for his bird offerings — they [the coins] are not available for benefit. But they [the coins] are not subject to the laws of sacrilege, because they [the sacrifices] are appropriate to be offered, because the money may be used to buy offerings not subject to the laws of sacrilege, such as turtledoves that are not old enough or superannuated doves.”*
- B. Said Raba, “The Torah has said that one may present a peace offering purchased with funds not designated for that particular purpose [in line with M. 3:2A-C, the coins are therefore not subject to the laws of sacrilege]. But does the Torah permit bringing turtledoves that are too young or superannuated doves, which are unsuitable for the altar?”

The laws of sacrilege apply only to coins that are designated to purchase valid offerings, and that solves the problem raised here.

### 3:3

- A. R. Simeon says, “Blood is subject to a lenient law at the outset and to a strict law at the end, and the drink offerings are subject to a strict rule at the outset and to a lenient rule at the end.
- B. “The blood at the outset: the laws of sacrilege do not apply to it.
- C. “[When] it has gone forth to the Qidron Brook, the laws of sacrilege apply to it.
- D. “Drink offerings at the outset: the laws of sacrilege apply to them.
- E. “[When] they have gone forth to the pits, the laws of sacrilege do not apply to them.”

- I.1.** A. *Our rabbis have taught on Tannaite authority:*

- B. “The laws of sacrilege apply to blood,” the words of R. Meir.
- C. R. Simeon and sages say, “The laws of sacrilege do not apply to blood.”
- D. *What is the Scriptural foundation for the position of one who says, “The laws of sacrilege do not apply to blood”?*
- E. Said Ulla, “Said Scripture, ‘I have given the blood to you’ (Lev. 17:11) — it is yours [and not subject to the laws of sacrilege].”
- F. *The household of R. Ishmael taught as a Tannaite statement, “...I have given it to you for making atonement,’ meaning, ‘I have given it to you for atonement,’ not to be subject to the laws of sacrilege.”*
- G. R. Yohanan said, “Said Scripture, ‘For the blood make atonement through the life’ (Lev. 17:11) — the status prior to atonement is the same as afterward. Just as after the act of atonement, the law of sacrilege does not apply to it, so too prior to the act of atonement, the laws of sacrilege do not apply to it.”
- H. *Why not say, Just as prior to atonement, it is subject to the laws of sacrilege, so after atonement, it is subject to the laws of sacrilege? But is there something to which the laws of sacrilege apply after it has performed its religious duty?*
- I. *Well, now, why not?* **[11B]** Lo, there is the case of the ash that is taken up from the altar. It has carried out its religious duty and yet remains subject to the law of sacrilege!
- J. [But that case does not supply a useful analogy,] because the verse covering taking up the ashes and the one involving the sacrificial portions of the scape goat represent two distinct scriptural verses that go over the same rule. Whenever two distinct scriptural verses go over the same rule, they cannot be used to establish an analogy that governs elsewhere [so the exception is null].
- K. *That objection poses no problem for one who takes the view that the verse dealing with the scapegoat bears the meaning that the scapegoat may not be used for private purposes [and so is in the classification of the ashes of the altar]. But to one who maintains that the verse dealing with the scapegoat bears the meaning that the scapegoat may be used for private purposes, what is to be said?*
- L. It is the fact that the matter of taking up the ashes of the altar and the rule governing the priestly garments represent two distinct scriptural verses that go over the same rule. Whenever two distinct scriptural verses go over the same rule, they cannot be used to establish an analogy that governs elsewhere.
- M. *That poses no problem to rabbis, who maintain, “Then Aaron shall ...take off the priestly garment and leave it there” (Lev. 16:23) means that the garments do not have to be buried and are subject to sacrilege, like the asses. But what is to be said to R. Dosa, who takes the view that a common priest may use such garments [which then are not subject to sacrilege and so are not analogous to the ashes of the altar]?*
- N. It is that taking up the ashes of the altar and the rule governing the heifer the neck of which is to be broken in atonement for the finding of a neglected corpse [Deu. 21:1ff.] represent two distinct scriptural verses that go over the same rule. Whenever two distinct scriptural verses go over the same rule, they cannot be used to establish an analogy that governs elsewhere.

- O. *That poses no problem to him who says that they indeed cannot be used to establish an analogy that governs elsewhere. But to him who maintains that they can be used to establish an analogy that governs elsewhere, what is to be said?*
- P. Both verses to which reference is made contain specific exclusions, namely, “the heifer” [for the heifer the neck of which is to be broken] and “place it on the altar.” The emphatic usages mean that these particular items are subject to the laws of sacrilege, but others are not.

**II.1 A. “Drink offerings at the outset: the laws of sacrilege apply to them. [When] they have gone forth to the pits, the laws of sacrilege do not apply to them:”**

- B. *May we say that our Mishnah’s rule does not accord with the position of R. Eleazar b. R. Sadoq?*
- C. *For it has been taught on Tannaite authority:*
- D. **R. Eliezer b. R. Sadoq says, “There was a small passage-way between the ascent and the altar at the west side of the ramp.**
- E. **“Once every seventy years the young priests would go down there and gather up the congealed wine, which looked like circles of pressed figs, and they burned it in a state of sanctity, as it is said, ‘In the holy place shall you pour out a drink-offering of strong drink unto the Lord’ (Num. 28: 7).**
- F. **“Just as the pouring out must be in a state of sanctity, thus the burning of it must be in a state of sanctity” [T. Suk. 3:15C-I].**
- G. *What implications [of the matter] bear the alleged inference?*
- H. *And said Rabina, “A verbal analogy is drawn in the appearance of the word ‘holiness’ here and in a parallel passage. Here it is written, ‘you shall make sure to offer the libation in holiness’ (Num. 28: 7), and elsewhere, ‘You shall burn what remains overnight with fire, it is not to be eaten because it is in a state of holiness’ (Exo. 29:34). Just as what remains overnight must be kept in a state of holiness until it is burned, so here libation wine left over after the offering is kept in a state of holiness.”*
- I. *But you may even maintain that R. Eleazar b. R. Sadoq takes the position that the wine remains in a state of holiness only if it is caught part way down [but if it falls to the bottom, it loses its sanctification, as our Mishnah’s rule maintains].*
- J. *There are those who say, let us say that our Mishnah-passage accords with R. Eleazar b. R. Sadoq, who takes the position that the wine remains in a state of holiness only if it is caught part way down [but if it falls to the bottom, it loses its sanctification, as our Mishnah’s rule maintains].*
- K. *Say: not at all. That is only on the authority of rabbis [that it remains holy if caught part way down].*
- L. *But lo, [Eleazar] invokes a verse of Scripture to make the point?*
- M. *That is merely a pretext.*

I:1 pursues its interest in Tannaite proof for the Mishnah’s proposition and secondary analysis of the character of that proof. II:1 asks about the principle and authority represented by our Mishnah’s rule.

### 3:4A-F

- A. The ashes [of the incense] of the inner altar and [of the wicks that remain] of the candelabrum —
- B. are not available for benefit, but the laws of sacrilege do not apply.
- C. He who sanctifies the ash to begin with —
- D. the laws of sacrilege apply to it.
- E. (1) Turtledoves which have not yet reached their maturity and (2) pigeons which have become superannuated
- F. are not available for benefit, but the laws of sacrilege do not apply.

- I.1.** A. *Now there is no problem understanding [12A] ash from the outer altar is placed in the ash-heap: “He shall place the ash near the altar” (Lev. 6: 3). But on the basis of Scripture how do we know that that is the case with the inner altar?*
- B. Said R. Eleazar, “Said Scripture, ‘You shall take away the crop with its feather and toss it next to the altar, on the east side where the ash goes’ (Lev. 1:16). Since the ash cannot be from the outer altar [which occurs at Lev. 6:3] this must be the ash from the inner altar.”
  - C. *Say: both this verse and the other relevant one speaks of ash from the outer altar, and serve to assign a place for the ash taken therefrom? [Neither verse informs us about the inner altar’s ashes.]*
  - D. *If so, Scripture should say, “next to the altar.” Why go on to say, “where the ash goes”?* The intent must be to indicate the ash taken from the other, inner altar.
  - E. And how do we know the rule for the candelabrum?
  - F. [Instead of saying merely, “the place of ash,” Scripture has said, “the place of the ash,” [referring to other ash that goes there as well].

We find a Scriptural proof from Scripture for the Mishnah’s rule.

### 3:4G

- G. R. Simeon says, “Turtledoves which have not yet reached their maturity — the laws of sacrilege apply to them. But pigeons which have become superannuated are not available for benefit, but the laws of sacrilege do not apply.”

- I.1.** A. *There is no problem in understanding that this represents the view of R. Simeon, since he utilizes the same reasoning elsewhere, as it is taught on Tannaite authority.*
- B. For R. Simeon would say, “Whatever will be suitable for the altar after a specified time but is dedicated for the altar prior to that time — one who uses it for private benefit before it reaches its time for use on the altar violates a negative commandment [and commits sacrilege]. But the act of slaughter is invalid, so slaughtering it outside the proper place does not bring on the penalty of extirpation.”
  - C. *But as to our rabbis, how do they differentiate birds from animals that are too young? [Haas: if one designates an under-aged animal as an offering, that animal is not consecrated; one who uses it does not commit an act of sacrilege.]*
  - D. *Say: Underage animals that have been consecrated are in the classification of animals that are blemished; they are redeemed and others are brought in their*

*stead. [Since they are replaced, one who uses them commits no sacrilege]. But in respect to birds, since blemishes do not render them invalid, they are not subject to redemption.*

- I.2.** A. Ulla said R. Yohanan said, “Animals designated as Holy Things that died [not through a proper rite of slaughter] are exempt from the law of sacrilege by the rule of the Torah.”
- B. *In session Ulla stated this tradition. Said to him R. Hisda, “Well, then, have you or your teacher, R. Yohanan, heard, as to the sanctity that inhered in them where has it then gone?”*
- C. *He said to him, “Well, you can raise the same problem in connection with our Mishnah: **Turtledoves which have not yet reached their maturity — the laws of sacrilege apply to them. But pigeons which have become superannuated are not available for benefit, but the laws of sacrilege do not apply.** Here too, how about saying, as to the sanctity that inhered in them where has it then gone?”*
- D. *He said to him, “I concede to you that in these cases the laws of sacrilege apply to the animals or superannuated birds solely by rabbinical decree, not by scriptural law. But I have this further problem: now is there really something that to begin with is not subject to the laws of sacrilege but in the end is subject to the laws of sacrilege [e.g., under-aged turtledoves that become subject to sacrilege when they mature]?”*
- E. *[He said to him,] “Well, as a matter of fact, there is blood, which to begin with is not subject to the laws of sacrilege but at the end is indeed subject to the laws of sacrilege, for we have learned in the Mishnah: **The blood at the outset: the laws of sacrilege do not apply to it. [When] it has gone forth to the Qidron Brook, the laws of sacrilege apply to it.**”*
- F. *Say, in that case too, the laws of sacrilege apply to begin with, [12B] for said Rab, ‘He who lets blood from a consecrated animal — the blood is not available for benefit and the laws of sacrilege apply to it].’”*

**I.3.** A. *Reverting to the body of the foregoing:*

- B. Said R. Huna said Rab, “He who lets blood from a consecrated animal — the blood is not available for benefit and the laws of sacrilege apply to it].”
- C. Objected R. Hammuna, “Milk of consecrated beasts and the eggs of consecrated turtledoves are not available for common use, but the laws of sacrilege do not apply to them.” [The blood of these should also not be subject to the laws of sacrilege.]
- D. *He said to him, “When I made my statement that the law of sacrilege applies, it is because without blood, the animal cannot endure, but as to milk, without which the animal can live perfectly well, there is no such introduction of the laws of sacrilege.”*
- E. *Objected R. Mesharshayya, “Manure and shit [from animals designated for sacrifice] that are in the Temple courtyard are not available for secular benefit but the laws of sacrilege do not apply, and money paid for them is assigned to the Temple treasury. Now why should that be the case? Here too, surely the animal cannot live if it does not excrete shit!” [Blood, like excrement, should be subject to the laws of sacrilege.]*

- F. *Say: what justifies this analogy? Shit is exceptional, because it comes from the world at large; as soon as one batch of food passes through, another is eaten; but the blood is intrinsic to the body. Not only so, [the passage itself contains a contradiction to be noted,] since it has been taught on Tannaite authority: Manure and shit [from animals designated for sacrifice] that are in the Temple courtyard are not available for secular benefit but the laws of sacrilege do not apply, and money paid for them is assigned to the Temple treasury. [But if they are not subject to sacrilege, then money paid for these substances shouldn't be treated as holy at all.]*
- G. *That supports the position of R. Eleazar, for said R. Eleazar, "As to any item that sages say is in a state of holiness but not in a state of holiness, money paid for it is assigned to the Temple treasury."*

I:1 gives the reasoning behind the positions of Simeon and his opposition.

### 3:5

- A. **The milk of animal sacrifices and the eggs of turtledoves are not available for benefit, but the laws of sacrilege do not apply to them.**
- B. **Under what circumstances?**
- C. **In the case of what is made holy for the use of the altar.**
- D. **But in the case of what is made holy for the upkeep of the Temple house —**
- E. **[If] one has sanctified a chicken, the laws of sacrilege apply to it and to its egg.**
- F. **[If he sanctified] an ass, the laws of sacrilege apply to it and to its milk.**
- I.1. A. *If one has consecrated the value of an animal to the altar, does the law of sacrilege apply [to its eggs or milk too, just as if one dedicated its value to the upkeep of the Temple]?*
- B. *Said R. Pappa, "The passage contains a lacuna and this is how it should be framed as a Tannaite rule: Under what circumstances? When one has consecrated the body of the beast for the altar, but he consecrated the value of the beast for the altar, it is as if he dedicated the beast for the upkeep of the Temple building.*
- C. *"If one consecrated a chicken for the altar, the laws of sacrilege apply to it and to its eggs; a dam, to it and its milk."*

The Talmud amplifies the meaning of the Mishnah-rule.

### 3:6

- A. **Whatever is appropriate for [use on] the altar but not for the upkeep of the house,**
- B. **for the upkeep of the house and not for the altar,**
- C. **not for the altar and not for the upkeep of the house**
- D. **the laws of sacrilege apply thereto.**
- E. **How so?**
- F. **[If] one sanctified (1) a hole full of water [B], (2) a dung heap full of dung [C], (3) a dovecote full of pigeons [A], (4) a tree covered with fruit, (5) a field full of herbs —**



- G. the laws of sacrilege apply to them and to what is in them.
- H. But if he sanctified (1) a hole, and afterward it filled with water, (2) a dung heap, and afterward it was filled with dung, (3) a dovecote, and afterward it was filled with pigeons, (4) a tree and afterward it filled with fruit, (5) a field and afterward it was filled with herbs —
- I. “the laws of sacrilege apply to them, but the laws of sacrilege do not apply to what is in them,” the words of R. Judah.
- J. R. Simeon says, “He who sanctifies a field and a tree — the laws of sacrilege apply to them and to what grows in them,
- K. “for they are the offspring of that which has been consecrated.”
- L. The offspring of the tithe of cattle may not suck from [a beast that is] tithe [of cattle].
- M. And others donate [their beasts] thus [on condition that, if the tithe of their cattle should be a female beast, its milk should not be deemed consecrated but should be available for its offspring].
- N. The offspring of a consecrated beast should not suck from consecrated beasts.
- O. And others donate their beasts thus.
- P. Laborers should not eat of dried figs which have been consecrated.
- Q. And so: A cow should not eat of vetches which have been consecrated.

**I.1.** A. *It has been taught in the Tannaite statement, The offspring of the tithe of cattle may not suck from [a beast that is] tithe [of cattle]. What is the source in Scripture for this rule?*

- B. Said R. Ahadeboi bar Ammi, “There is a verbal analogy to be drawn from the sense of the word ‘passing’ that is used in regard to the firstborn at Exo. 13:12 and that is used in connection with the tithe of cattle at Lev. 27:32. Just as the firstborn is subject to the laws of sacrilege, so is the milk of a beast that is in the classification of the tithe of cattle subject to the laws of sacrilege.
- C. As to the milk of a beast dedicated to the Temple, there is a similar verbal analogy connected to the firstborn, but in this case, it is via the word “its mother” used at Exo. 22:29 in connection with the firstborn and at Lev. 22:27 in connection with animals that have been consecrated.

**II.1** A. **Laborers should not eat of dried figs which have been consecrated:**

- B. *What is the basis for this rule in Scripture?*
- C. Said R. Ahadeboi bar Ammi, “Said Scripture, ‘Do not muzzle the ox while it is threshing your grain’ (Deu. 25: 4) — grain belonging to you, not grain belonging to the Temple.”

**II.2.** A. He who threshes *gelailain*-wood in a field belong to the Temple commits sacrilege.

- B. *But lo, we require that the produce be harvested prior to being subject to the laws of sacrilege?*
- C. Said Rabina, “That bears the inference that the dust clinging to the plant is itself consecrated, and that is what is subject to sacrilege.”

The source in Scripture is provided at I:1 and II.1; II.2 is tacked on.



- A. [If] the roots of a privately owned tree come into consecrated ground,
  - B. or those of a tree which is consecrated come into privately owned ground,
  - C. they [the owners of the tree or property, respectively] are not available for enjoyment, but they are not subject to the laws of sacrilege.
  - D. A well that gushes forth from a field that is consecrated — [the water] is not available for enjoyment, but the laws of sacrilege do not apply.
  - E. [If] the water went outside of the field, they derive benefit from it.
  - F. Water that is in a golden jar is not available for benefit but is not subject to the laws of sacrilege.
  - G. [If] one put it into a glass, the law of sacrilege applies to it.
  - H. The willow branch [set beside the altar] is not available for benefit but is not subject to the law of sacrilege.
  - I. R. Eleazar b. R. Sadoq says, “The elders would take some of it for their lulabs.”
- I.1.** A. [Water that is in a golden jar is not available for benefit but is not subject to the laws of sacrilege. [If] one put it into a glass, the law of sacrilege applies to it:] Said R. Simeon b. Laqish, “In respect to the water in the golden jar, none of it is liable to the laws of sacrilege unless exactly three logs of water were in the jug, indicating that it was measured for a libation” [Haas: in this case we assume that the water has been measured for use as a libation].
- B. *But lo, it has been taught in the Tannaite formulation: [If] one put it into a glass, the law of sacrilege applies to it. That bears the inference that the first clause means, the water in the golden jar is not subject to the laws of sacrilege even if it is exactly three logs.*
  - C. *Rather, if the statement was made [that none of it is liable to the laws of sacrilege unless exactly three logs of water were in the jug], it concerned the second clause of the statement, yielding the sense as follows: [If] one put it into a glass, the law of sacrilege applies to it.* Said R. Simeon b. Laqish, “In respect to the water in the golden jar, none of it is liable to the laws of sacrilege unless exactly three logs of water were in the jug.”
  - C. And R. Yohanan said, “The laws of sacrilege apply to all of the water in the glass [with respect to its volume].”
  - D. *Does this statement of his bear the implication that R. Simeon b. Laqish takes the view that an exact measure applies to the water-libation? But we have learned in the Mishnah: R. Eleazar says, “Also: he who offers the water libation of the Festival [of Sukkot] on the festival [on an altar] outside [of the Temple] is liable” [M. Zeb. 13:6H].* And said R. Yohanan in the name of R. Menahem of Yudpaah, “R. Eleazar made his statement within the premise of R. Aqiba, his master, who has said, ‘The requirement of making a water offering on the Festival derives from the authority of the Torah.’”
  - E. *For it has been taught on Tannaite authority:*

- F. R. Aqiba says, “and the drink offerings thereof” (Num. 29:31) — use of the plural indicates that Scripture speaks of two different drink offerings, one being the drink offering of water, the other, the drink offering of wine.”
- G. Said R. Simeon b. Laqish to R. Yohanan, “Then just as there, [scripturally specified drink offerings], three logs’ volume of liquid are required, so here too, the same volume of water should be required, but here R. Eleazar states merely, **Also: he who offers the water libation of the Festival [of Sukkot] on the festival [on an altar] outside [of the Temple] is liable.** [This can be even a single log, not three.] Furthermore, just as in the other case, the offering is required throughout the year, so here too liability should be incurred for such an action throughout the year, and not only if one does so in connection with **the water libation of the Festival [of Sukkot] on the festival.**”
- H. *From this it is to be inferred that R. Simeon b. Laqish takes the view that no fixed measure applies to the water-libation!*
- I. *He made that statement within the thesis of Menahem of Yudpaah.*
- A detail of the Mishnah-paragraph is amplified.

### 3:8A-C

- A. **A nest which is up at the top of a tree which has been consecrated is not available for benefit, but is not subject to the law of sacrilege.**
- B. **And that which is on an asherah tree**
- C. **one may flick it off with a reed.**
- I.1. A. [14A] *It has been stated:*
- B. An idol that broke on its own [and was not deliberately demolished] —
- C. R. Yohanan said, “Its sherds are forbidden.”
- D. R. Simeon b. Laqish said, “Its sherds are permitted.”
- E. R. Yohanan said, “Its sherds are forbidden”: *for lo, the idol has not been deliberately nullified by the idolator.*
- F. R. Simeon b. Laqish said, “Its sherds are permitted:” *for [the owner] may be assumed to nullify the idol, thinking, “It could not save itself, how will it save me?”*
- G. **R. Simeon b. Laqish objected to R. Yohanan: If a bird’s nest is at the top of a tree that belongs to the sanctuary, people may not derive benefit from it, but the laws of sacrilege do not apply to it. If it was on the top of an ashera-tree, one may knock it down with a stick. Now the premise is that the case is one in which a bird has broken off twigs from an asherah-tree and built a nest of them, and yet it is taught, one may knock it down with a stick!** [One may use the nest for fuel, and hence the fragments of an idol may be used, contrary to Yohanan’s position].
- H. *No, it is a case in which the bird brought twigs from various places and made the nest of them.*
- I. *If that is so, then why is the language used, If a bird’s nest is at the top of a tree that belongs to the sanctuary, people may not derive benefit from it, but the laws of sacrilege do not apply to it.*

- J. *Here we deal with twigs that grew after the tree had been dedicated to the sanctuary, and the framer of the rule maintains that there is no applicability of the laws of sacrilege in connection with aftergrowth. And that stands to reason, for if you imagine that the twigs come from other places, then why is it the rule that one may knock it down with a stick?*
- K. *Said R. Abbahu said R. Yohanan, "In point of fact, the twigs came from other sources. What is the meaning of the language, one may knock it down with a stick? It means, 'one may knock off the nest to get at the young birds.'"*
- L. *Said R. Jacob to R. Jeremiah bar Tahalipa, "I shall show you the reasoning here: as to the young birds, they are permitted no matter what [wherever the tree is located]. As for the eggs, they are forbidden no matter what [since the tree has been used as a resting place for the eggs]."*
- M. *Said R. Ashi, "But the fledglings that still require their mother are in the classification of eggs [and prohibited]."*

The composition is an abbreviated version of a much larger analytical discussion at B. A.Z. 42B, recast for the purpose of the present context alone.

### 3:8D-H

- D. He who sanctifies a forest —**
- E. the law of sacrilege applies to the whole of it.**
- F. And the Temple treasurers who bought wood —**
- G. the laws of sacrilege apply to the wood.**
- H. But the laws of sacrilege do not apply to the chips and [they do] not [apply] to the foliage.**
- I.1** A. Said Samuel, "They build the Temple with material that is not consecrated, but then consecrate it." [The buildings are purchased with unconsecrated funds, so the workers can work with the materials without committing acts of sacrilege. The materials were bought on credit and paid for out of Temple funds only when used, at which point they became sanctified. The treasurer lent some of the unconsecrated materials for a higher return. There is no sacrilege, since the materials were unconsecrated; but they were lent on behalf of the Temple, and the prohibition of usury will not apply to them (Freedman to Baba Mesia 57B).]" *How come? One who gives coins as a votive offering consecrates them. When the building is done, the Temple treasurer says, 'Let the coins be deconsecrated by being exchanged for the building.' The coins then are deconsecrated and given to the workers for their salary."*
- B. **[14B] An objection was raised: The surplus of the frankincense left over from the prior year — what did they do with it? They set it aside for paying the wages of the craftsmen, and after they declare it unconsecrated in exchange for the wages of the craftsmen, they hand it over to the craftsmen as their salary. And they go and buy it back from them with money taken up from the fresh heave offering of the sheqels. If the new funds came in due time, they buy it back with money from the new heave offering of the sheqels, but if not, they buy it back with money from the old [M. Sheq. 4:5]. But why should this be the case? Why not just transfer the status of consecration from the coin to the building? [So the procedure just now described is not valid.]**

- C. *The specified procedure was carried out because at that point there was no building to which the status of the funds could be transferred.*
- D. *Nonsense! Then how can the Tannaite formulation speak of **the workers' wages!***
- E. *The rule addresses a case in which there was no completed building equivalent to the amount of money under discussion.*
- F. *But didn't Samuel say, "'That which has been consecrated, worth a manah, which one has declared profane in exchange for something worth merely a perutah indeed enters the status of the profane [and is no longer holy].'"*
- G. *Such a statement applies in a case in which one has already carried out the procedure [i.e., de facto]. But it does not apply in a case in which one comes to find out how, to begin with, to proceed [i.e., de jure]?*
- H. *R. Pappa said, "That is the reason that they build the buildings out of unconsecrated materials: the Torah was not given over to ministering angels [who have no improper motives]. They say, what if the workers have to lie down and they lie on the building materials. If they are building with consecrated materials, it will turn out that so they will have committed sacrilege; accordingly, the materials are left unconsecrated."*
- I. *We have learned in the Mishnah: **And the Temple treasurers who bought wood — the laws of sacrilege apply to the wood. But the laws of sacrilege do not apply to the chips and [they do] not [apply] to the foliage.***  
*Now why should it be the case that the wood is subject to sacrilege? Let them use unconsecrated wood. Here too, invoke the consideration, what if the workers have to lie down and they lie on the building materials. If they are building with consecrated materials, it will turn out that so they will have committed sacrilege; accordingly, the materials are left unconsecrated.*
- J. *Said R. Pappa, "If the wood is to be stored for use later on, that solution would work; but here we deal with wood that is to be used on the same day [for the altar fire]."*

I:1 explores the status of wood that is used for the Temple, an issue introduced by the theme of M. 3:8D-E.