



8 Nissan 5779  
April 13, 2019

Chullin Daf 137

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o'h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o'h**

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

The Mishnah had stated: The law of the reishis hageiz applies only to sheep.

From where is this derived? — Rav Chisda said: An inference is made by means of the common expression ‘fleece’; it is written here: The first of the fleece, and it is written there: And if he were not warmed with the fleece of my sheep; just as there it is [the fleece of], sheep, so here it refers to [the fleece of] sheep.

Shouldn’t the inference rather be made by means of the common expression ‘fleece’ from the law of the firstborn? For it has been taught: From the verse: You shall do no work with the firstborn of your ox, nor shear the fleece of the firstborn of your sheep, I only know that an ox [may not be put] to any work and that the sheep [may not be] shorn, from where do I know to apply the restriction of the one to the other? The text therefore states: You shall do no work . . . nor shear! — Scripture says: You shall give him, and not for his sack.<sup>1</sup> If so, then goats’ hair should also be subject to this law, should it not?<sup>2</sup> — It is necessary that it be shorn, which is not the case [with goats’ hair].<sup>3</sup> But whom, have you heard,

maintains this view? It is Rabbi Yosi, is it not? And Rabbi Yosi agrees that what is the general practice [is included]<sup>4</sup> — As Rabbi Yehoshua ben Levi said elsewhere: The expression ‘to stand to minister’ indicates something serviceable for ministering, so here too, it must be something serviceable for ministering.<sup>5</sup> What then is the significance of the analogy by reason of the common expression ‘fleece’? — It is in respect of the following teaching of a Tanna of the school of Rabbi Yishmael. For a Tanna of the school of Rabbi Yishmael taught: Sheep with hard wool are exempt from the law of the reishis hageiz, since it is written: And if he were not warmed with the fleece of my sheep.<sup>6</sup>

One [Baraisa] teaches: If a man shears the [hair of] goats or washes the sheep [and plucks their wool] he is exempt from the reishis hageiz.<sup>7</sup> Another [Baraisa] teaches: If a man shears the [hair of] goats he is exempt from the reishis hageiz; if he washes the sheep [and then plucks their wool] he is liable. There is, however, no difficulty; for one [Baraisa] sets forth

<sup>1</sup> It must be given to the Kohen for his use, i.e., for clothing; the fleece of an ox, however, is not usually made into clothing but used for making sacks.

<sup>2</sup> Since goats’ hair is suitable to be made into cloth.

<sup>3</sup> The common practice is to pluck the hair off the goats and not to shear it.

<sup>4</sup> And since goats’ hair is generally plucked, what is plucked is deemed to be its ‘fleece’ and therefore should be subject to the law of the reishis hageiz!

<sup>5</sup> I.e., the fleece referred to in the preceding verse must be such as could be used for the priestly robes of service, and the blue wool in the priestly garments was of sheep’s wool and not of goats’ hair.

<sup>6</sup> Hence only soft wool which gives warmth is subject to the law of the reishis hageiz, but not hard wool; this rule is established by reason of the analogy through the expression ‘fleece’.

<sup>7</sup> The usual practice is to shear the wool of the sheep, and to pluck the hair of the goats after they have been washed in water so that the hair should come away more easily. Any person who acts contrary to these practices is exempt from giving the reishis hageiz.

Rabbi Yosi's view,<sup>8</sup> the other that of the Rabbis. For it has been taught: Scripture says: The gleaning of your harvest, but not the gleaning of plucking.<sup>9</sup> Rabbi Yosi says: Gleaning is only that which falls at the reaping. Isn't Rabbi Yosi's view identical with that of the first Tanna? — The whole of the Baraisa sets forth Rabbi Yosi's view, render therefore: For Rabbi Yosi says: Gleaning is only that which falls at the reaping.

Rav Acha the son of Rava said to Rav Ashi: Rabbi Yosi nevertheless agrees that what is the general practice [is included].<sup>10</sup> For it has been taught: Rabbi Yosi says: [Scripture states:] 'Harvest,' from which I only know that reaping [is subject to the law of gleanings]; from where would I know uprooting? The text therefore states: To reap. And from where would I know plucking? The text therefore states: When you reap.<sup>11</sup>

Ravina said to Rav Ashi: We have also learned the same: If rows of onions are planted among vegetables, Rabbi Yosi says: 'The corner' must be left in each [row].<sup>12</sup> But the Sages say: In one for all.

The Mishnah had stated: What is meant by 'many'? Now Beis Shammai's view is clear, for [we see that] two sheep are also referred to as a "flock," but what is the reason for Beis Hillel's

<sup>8</sup> The first Baraisa represents the view of Rabbi Yosi who applies the strictest meanings to the terms of Scripture.

<sup>9</sup> If a man harvested his field by plucking with his hand the ears of grain he is not subject to the law of gleanings.

<sup>10</sup> And with many vegetables, e.g., onions and garlic, plucking is the normal method of 'ingathering', and renders the field subject to the law of 'the corner'.

<sup>11</sup> This as well as the 'preceding expression 'to reap' is redundant in the verse and serves to include every manner of 'harvesting' which is the usual practice with regard to the particular plants.

<sup>12</sup> Of all vegetables only onions and garlic are subject to the law of 'the corner'. Here, since the other vegetables separate the rows of onions from each other, each row, maintains Rabbi Yosi, is deemed a separate field and therefore each is subject to the law of 'the corner'. It is clear,

view? — Rav Kahana answered: The verse says: Five made flock, that is, 'made' [now]<sup>13</sup> for the fulfilment of two commandments, viz., the reishis hageiz and the Kohanic gifts. But perhaps it refers to the law of the firstborn and the Kohanic gifts? — [This cannot be, for] is not one [sheep] subject to the law of the firstborn? Then according to your suggestion [it can also be asked:] Isn't one [sheep] subject to the Kohanic gifts? — Rather, said Rav Ashi, the verse says: Five made flock, that is, they compel their owner y, addressing him, "Get up, perform a mitzvah."<sup>14</sup>

It was taught: Rabbi Yishmael son of Rabbi Yosi says in the name of his father: Four [sheep are subject to the law of the reishis hageiz], as it is written: And four flock in place of the seh.

It was taught: Rebbe said: Had their<sup>15</sup> views been based on words from the Torah and Beribbi's<sup>16</sup> view on words from the prophets, we should nevertheless have had to adopt Beribbi's view,<sup>17</sup> how much more now that their views are based on words from the Prophets and Beribbi's view on words of the Torah!

The Gemara asks: But hasn't a Master said: A compromise of a third [independent opinion] is no true compromise?<sup>18</sup>

however, that that which is usually plucked, as onions, is subject to the law of the corners.

<sup>13</sup> Since there is the required minimum of five sheep.

<sup>14</sup> This can only refer to the law of the reishis hageiz for which, as is apparent from the verse, there must be a minimum of five sheep; for the law of the firstborn and the Kohanic gifts apply even to a single sheep.

<sup>15</sup> Sc. the views of Beis Shammai and of Beis Hillel in our Mishnah.

<sup>16</sup> A title of honor applied to scholars of eminence; here applied to Rabbi Yosi.

<sup>17</sup> Since it is assumed for the present that Beribbi's view is in the nature of a compromise, i.e., not so many as five as Beis Hillel would have it; nor so few as two as Beis Shammai, but four.

<sup>18</sup> And cannot be accepted as the final decision. Here Beribbi's view is not a true compromise, for it does not adopt

Rabbi Yochanan said: He<sup>19</sup> had it as a tradition deriving from Chaggai, Zechariah and Malachi.<sup>20</sup>

Rabbi Dosa ben Hurkenos says . . . [whatever their fleeces weigh]. What is meant by 'whatever'? — Rav said: [At least] a maneh and a half,<sup>21</sup> provided each supplies [no less than] a fifth<sup>22</sup> [of this quantity]. Shmuel said, [At least] sixty [selas], and he gives of it one sela to the Kohen. Rabbah bar Bar Chanah said in the name of Rabbi Yochanan: [At least] six [selas], and he gives five to the Kohen and retains one for himself. Ulla said in the name of Rabbi Elozar: Our Mishnah expressly says: whatever.<sup>23</sup>

We have learned: And how much should one give him? The weight of five selas in Yehudah, which is equal to ten selas in Galilee. Now this is in order according to the views of Rav and Rabbi Yochanan,<sup>24</sup> but it surely presents a difficulty, does it not, to Shmuel and Rabbi Elozar?<sup>25</sup> — Then, as you would have it, it also presents a difficulty to Rav? For didn't Rav and Shmuel both rule that the proper measure for the reishis hageiz is one sixtieth part?<sup>26</sup> But the fact is as has already been taught in connection with this [Mishnah] that Rav and Shmuel both said; it<sup>27</sup> speaks of the case of a Jew who has

any of the arguments of the conflicting Rabbis, but constitutes a third independent opinion opposed in its entirety to each of the other opinions.

<sup>19</sup> Rabbi Yosi.

<sup>20</sup> And therefore his opinion should be accepted as final.

<sup>21</sup> From the five sheep there must be a minimum quantity of wool, of one maneh and a half in order to be subject to the law of the reishis hageiz. This quantity equals thirty-seven and a half sela's (one maneh twenty-five sela's).

<sup>22</sup> No sheep shall supply less than seven and a half sela's of wool.

<sup>23</sup> Whatever quantity of wool the five sheep produce, even though only one sela in all, it is subject to this law.

<sup>24</sup> For Rabbi Yochanan expressly stated that five sela's weight shall be given to the Kohen in every case, even out of a total of six sela's! Rav also agrees with the ruling of the Mishnah that five sela's' weight must be given to the Kohen, but he merely establishes the minimum quantity of wool that is subject to this law.

<sup>25</sup> For according to Shmuel the quantity of one sela only, and according to Ulla even less, shall be given to the Kohen.

many fleeces and who wishes to distribute them<sup>28</sup> among a number of Kohanim, and we tell him that he must not give less than the weight of five selas to each.

It was stated above: Rav and Shmuel both ruled: The proper measure for the reishis hageiz is one sixtieth part, for terumah one sixtieth part, and for the "corner" one sixtieth part'.

'For terumah one sixtieth part'. But we have learned: The proper measure for terumah, if a man is liberal, is one fortieth part?<sup>29</sup> — According to the Biblical law the measure is one sixtieth part, but by Rabbinic enactment it is one fortieth part. But hasn't Shmuel stated that one grain of wheat frees the stack?<sup>30</sup> — The Biblical law is as Shmuel stated it;<sup>31</sup> but the Rabbinic enactment is that in respect of that which is subject [to terumah] by the Torah<sup>32</sup> the measure is one fortieth part, and in respect of that which is subject [to terumah] only by the Rabbis<sup>33</sup> the measure is one sixtieth part.

'For the "corner" one sixtieth part'. But we have learned: These are the things which have no fixed measure: the corner

<sup>26</sup> I.e., the amount to be given to the Kohen shall not be less than one sixtieth part of the whole; whereas now it is suggested, according to Rav, that out of a total of thirty seven and a half sela's five shall be given to the Kohen, almost one-seventh!

<sup>27</sup> The statement of the Mishnah 'five sela's' does not purport to establish this amount as the minimum quantity to be given to the Kohen, for this is fixed at one sixtieth in accordance with the ruling of Rav and Shmuel.

<sup>28</sup> Sc. the sixtieth part.

<sup>29</sup> Where the Mishnah continues: If he is mean it is one sixtieth part. Surely Rav and Shmuel would not adopt as the general standard the measure given in the case of a mean person.

<sup>30</sup> The obligation of terumah can be discharged by the removal of one grain from the heap, since the Torah does not prescribe any specific amount.

<sup>31</sup> That one grain discharges the obligation of terumah.

<sup>32</sup> Viz., grain, wine, and oil.

<sup>33</sup> Viz., other fruits (besides the vine) and vegetables.

[of the field], the bikkurim, and the appearance-offering!<sup>34</sup> — By Biblical law there is no fixed measure, but by Rabbinic enactment it is fixed as one sixtieth part. Then what does he teach us? We have learned it: The corner should not be less than one sixtieth part, even though they have said that no fixed measure is prescribed for the corner! — That gives the rule for Eretz Yisroel, here [Rav and Shmuel] give the rule for outside Eretz Yisroel.

When Issi ben Hini went up [to Eretz Yisroel], Rabbi Yochanan found him teaching his son [our Mishnah and using the term] rechelim.<sup>35</sup> He [Rabbi Yochanan] said to him: Use the term rechelos.<sup>36</sup> The other retorted: But it is written: Two hundred rechelim. He replied: The Torah uses its own language and the Sages their own.<sup>37</sup> He [Rabbi Yochanan] then enquired: Who is the head of the Academy in Bavel? Abba the tall, he replied. And you simply call him Abba the tall, said [Rabbi Yochanan]. I remember when I was sitting before Rebbe, seventeen rows behind Rav, seeing sparks of fire leaping from the mouth of Rebbe into the mouth of Rav and from the mouth of Rav into the mouth of Rebbe, and I could not understand what they were saying; and you simply call him Abba the tall!? Then the other asked: What is the minimum quantity subject to the law of the reishis hageiz? — Sixty

[selas], he replied. But, said the other, we have learned: Whatever [their fleeces weigh]!? Then what difference is there between me and you?<sup>38</sup> he retorted.

When Rav Dimi came [from Eretz Yisroel] he reported: With regard to the reishis hageiz, Rav said: Sixty;<sup>39</sup> Rabbi Yochanan said in the name of Rabbi Yannai: Six. Thereupon Abaye said to Rav Dimi: One opinion is quite in order, but the other presents to us a difficulty. There is indeed no contradiction between the one opinion of Rabbi Yochanan and the other, for one is his own opinions the other that of his master;<sup>40</sup> but surely there is a contradiction between this opinion of Rav and the other, for Rav has said: At least a maneh and a half!<sup>41</sup> — There is also no contradiction between this opinion of Rav and the other, for by ‘a maneh’ he meant [a maneh] of forty selas, so that [a maneh and a half] is equal to sixty selas. But do we know of any Tanna that refers to a maneh of forty selas? — We do, indeed; for it has been taught: A new leather pouch, even though it can hold pomegranates, is tahor; if it had been sewn and then was torn, [it thereby becomes tahor provided the rent was of] such a size as to let through pomegranates. Rabbi Eliezer ben Yaakov says: Of such a size as to let through a warp-clew [which weighs] one fourth part of a maneh of forty selas.

<sup>34</sup> The offerings to be brought on appearing before the Temple at the three Festivals.

<sup>35</sup> In the ruling of Rabbi Dosa ben Hurkenos - with the masculine plural ending ‘im.’

<sup>36</sup> With the feminine plural ending ‘os.’

<sup>37</sup> In the speech of the Rabbis there is a marked tendency to adopt the plural ending ‘os’ in place of the ending ‘im’ with which the same words are found in the Torah.

<sup>38</sup> If I do not know the interpretation of the Mishnah, then I am no better than you. The Mishnah by the expression ‘whatever’ assumed a minimum of sixty sela's so that the Kohen would receive at least one sela.

<sup>39</sup> The weight of sixty sela's is the minimum quantity subject to the law of the reishis of the hageiz. Or: the amount to be given to the Kohen must be one sixtieth part of the whole.

<sup>40</sup> In fact there is an apparent contradiction between two statements of Rabbi Yochanan. Above it has been stated: Rabbah bar Bar Chanah

said in the name of Rabbi Yochanan: At least six sela's, but subsequently we read that Rabbi Yochanan told Issi bar Hini that there must be at least sixty sela's in order to be subject to the law of the reishis hageiz. The report of Rav Dimi however clears up this contradiction, for it is manifest that the former statement was not the personal view of Rabbi Yochanan but that of his teacher Rabbi Yannai, and Rav Dimi expressly reported it so.

<sup>41</sup> I.e., there must be a maneh and a half — thirty-seven and a half sela's — to be subject to the law of the reishis hageiz, whereas according to Rav Dimi, Rav ruled that there must be a minimum of sixty sela's. According to the second interpretation the contradiction between Rav is this: Rav is reported by Rav Dimi to have ruled that the measure for the reishis hageiz is one sixtieth part, whereas previously Rav ruled that out of thirty-seven and a half sela's, the minimum quantity that is subject to the law of the reishis hageiz, one sela, which is the very least that would constitute ‘giving’s must be given to the Kohen.