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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

Ma’aser and Terumah for each species

The *Gemora* cites a *Mishna*, which says that one may not take *terumah* from one species on another, and if one did, it does not take effect, and asks what the source for this is.

Rabbi Ami quotes Rabbi Yanai (or Raish Lakish) saying that the source is the verse which states that one must give to the *Kohen*:

Kol chelev yitzhar – all the choice of olives

V’chel chelev tirosh v’dagan – and all the choice of grapes and grain

Since the verse used the word *chelev* – *choice* more than once, we learn that one must give a separate choice (i.e., *terumah*) for each species.

The *Gemora* says that this explains why one must give separate *terumah* for olives and grapes, as they each have their own word *chelev* in the verse, but how do we know that one must give separately for grapes and grains or for different grains, as they share the same word *chelev*?

The *Gemora* answers that we know this from a logical argument. If olives and grapes, which are may be planted together, must each have their own *terumah*, surely grapes and grains or different grains, which may not be planted together, must each have their own *terumah*.

The *Gemora* asks what argument we can use according to Rabbi Yoshia, who says that the prohibition of *kilayim* – hybrid planting only applies to simultaneously planting a

grape seed with two grain seeds, as grapes and grain or two grains on their own are also permitted.

The *Gemora* answers that the argument is that if olives and grapes, which may be planted together, even when mixed with another species, need separate *terumah*, surely grape and grains or two grains, which may not be planted with another species, need separate *terumah*.

The *Gemora* says that other species need their own *terumah*, as any other species are Rabbinic, and the Sages instituted *terumah* following the paradigm of the Torah *terumah*, which must be given for each species separately.

Rava bar Rav Chanan challenged Abaye about this source. According to this reading of the verse, we should say that *ma’aser* of animals may be taken across all species together, as the verse states that one must take *kol ma’asar bakar vatzon – all tenth of cattle and sheep*. Since the verse uses the word *ma’aser* only once, for both cattle and sheep, we should say that one may take a tenth of all of them together.

Abaye answered that the verse continues to say “*ha’asiri – the tenth will be holy*”. This phrase serves as a separate term for sheep, requiring a separate tenth for each species. We would have then thought that one must take a separate *ma’aser* for lambs and goats as well, but the verse’s grouping of both species as *tzon* teaches that one *ma’aser* may be taken for these species together.

The *Gemora* asks why we don’t similarly say that the verse’s grouping of all grains as *dagan – grain* teaches that one *terumah* may be taken for all grains together.

Abaye answers that the verse about *terumah* continues by referring to the plural *raishisam* – *their terumah*, teaching that each individual species of grain must have its own *terumah*.

Rava says that even without the word *raishisam* we know that each grain must have its own *terumah*. In the case of *ma'aser*, the verse could have simply referred to *ma'aser* of animals, without mentioning cattle and sheep explicitly. We would know that it only applies to sheep and cattle, as we equate *ma'aser* with other sacrifices due to the same word *tachas* – in place of, used in reference both *ma'aser* and other sacrifices. We also would know that each species needs its own *ma'aser*, from a logical argument. If animals of the same species born on different years each need their own *ma'aser*, even though they may be bred together, certainly animals of different species, which may not be bred together, each need their own *ma'aser*. Since the verse explicitly mentioned the species, but grouped all sheep together, this teaches that lambs and goats are considered one group. However, in the verse about *terumah*, if the verse had not mentioned grain, we would have thought that one must take *terumah* for all species. Since the word *dagan* is only needed to exclude other species, it does not teach that all grains are considered one group.

Rav Huna the son of Rav Nachman asked Rav Nachman according to Rava why we do not say that the verse's explicitly enumerating cattle and sheep teaches that one may consider them all one group, and take one *ma'aser* for all of them.

Mar Zutra the son of Rav Nachman answered that Rava agrees to Abaye's earlier statement that the word *ha'asiri* teaches that one *ma'aser* must be given for cattle and one for sheep.

The *Gemora* cites another version of the discussion, with Rava saying that even without the word *ha'asiri* we would

know that cattle and sheep must have their own *ma'aser*, since *ma'aser* of animals is equated to *terumah* and *ma'aser* of produce. Just as *ma'aser* of each species of produce must be taken separately, so *ma'aser* of each species of animal must be taken separately.

The *Gemora* challenges this, as Rava said earlier that this equation of the two types of *ma'aser* is limited to the fact that one must take a separate *ma'aser* for each year's product.

The *Gemora* answers that Rava recanted this statement, and rather extended the equation further. Alternatively, one of the statements was actually made by Rav Pappa. (53b – 54b)

Combining flocks

The *Mishna* says that two flocks can be combined for *ma'aser* if they are within the distance an animal would graze, which is 16 *mil*. If two flocks were 32 *mil* away, they may not be combined, but if there were animals exactly between them, they may all be combined for one *ma'aser*. Rabbi Meir says that the Jordan River separates two flocks, requiring a *ma'aser* for each.

The *Gemora* says the source for the *Mishna's* measure for combining flocks is the verse which says that "the sheep will pass [together], with one who counts them," and the Sages knew that one shepherd can see sheep up to 16 *mil* away.

The *Gemora* asks why the second part of the *Mishna* says that the flocks cannot be combined if they are 32 *mil* away, as any flocks more than 16 *mil* away cannot be combined.

The *Gemora* explains that the *Mishna* was introducing the next statement, which says that animals in the middle can combine them, allowing the total distance to be as large as 32 *mil*, 16 *mil* to each side.

The *Gemora* cites a dispute about how many must be in the middle to combine both flocks. Rav says that if there are five on either side, there must be 5 in the middle to combine them, as then there are ten animals within 16 *mil* of each other. Shmuel says that only one in the middle is necessary, as we consider the shepherd to be standing with that one, and from there see all 11 animals.

The *Gemora* challenges Rav from a *braisa*, which says that if one has 5 in the town of Chanania, and five in the town of Usnai (32 *mil* away), they do not combine, unless he has one in Tzipori, which is midway between them. This *braisa* implies that one animal in the middle is sufficient to combine the 5 on either side.

Shmuel deflects this, explaining the last statement of the *braisa* for Rav to be a case where he has 9 animals on either side, to which the one in the middle combines to make 10.

Rav Pappa says that according to Shmuel, who says the middle combines the two sides by letting us consider the shepherd standing there, the two sides can be combined even if the middle only has the shepherd's lodging or tools, as he must go to these items.

Rav Ashi asks whether the shepherd's dog in the middle would combine them. Perhaps he does not need to go there, as he can call the dog to come, but perhaps we say that he may go there, as the dog does not always come when called. The *Gemora* leaves this an unresolved *taiku*. (54b – 55a)

INSIGHTS TO THE DAF

Hybrids

The *Gemora* cites Rabbi Yoshia's opinion, that one is only liable for *kil'ai hakerem* – a hybrid vineyard if he sows a grape seed and two grain seeds simultaneously.

Although we rule like Rabbi Yoshia, the Rishonim differ on the parameters of his position.

Rashi implies that Rabbi Yoshia says that any prohibition of hybrid only applies when one plants three species together.

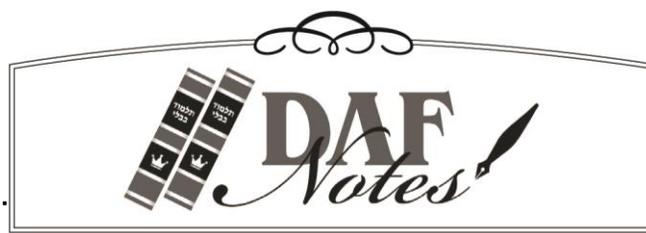
Tosfos (54a dagan) says that Rabbi Yoshia indeed says there is no Torah prohibition of a hybrid vineyard except in the case of simultaneously sowing the three species. However, he does agree that sowing the two non-grape species together is a prohibition of *kil'ai zra'im* – hybrid sowing. If one planted these two seeds together with a grape seed, he actually simultaneously violates two prohibitions – *kil'ai zra'im* and *kil'ai hakerem*.

The Rambam rules that although only violates the prohibition of *kil'ai hakerem* by sowing three seeds simultaneously, if one planted a grain or vegetation in an existing vineyard, the resulting crop is prohibited from eating and benefit.

The Ra'avad says that Rabbi Yoshia's statement is limited to one being liable for lashes, but Rabbi Yoshia agrees that one may not plant even one seed together with a grape seed.

Some say (see Lechem Mishneh Ma'achalos Asuros 10:6) that the Rambam says that it is prohibited from the Torah to plant one seed with a grape seed.

Based on these different positions, the Rishonim would read the *Gemora's* question slightly differently. The *Gemora* had said that the logical argument to require *terumah* for each species was due to the fact that the different species were prohibited to be planted together. The *Gemora* challenged this argument according to Rabbi Yoshia's position, as mixing grains or a grain with a grape would be permitted. According to Rashi, the *Gemora's* question is to be read exactly as stated, as Rabbi Yoshia would permit both types of mixtures on their own. According to Tosfos, the *Gemora's* question is actually only from the case of mixing a grain with a grape, but not from the case of mixing grains, as Rabbi Yoshia agrees



that mixing grains is prohibited as *kil'ai zera'im*. According to Ra'avad (and perhaps the Rambam), the *Gemora's* question is actually only from the case of mixing grains, which Rabbi Yoshia would permit, but not from the case of mixing a grain with grape, as he agrees that that is prohibited, albeit not punished with lashes.

world but within they must be opaque, humble and trembling before Hashem's glory (*Sefer HaYovel*, p. 112).

Terumah on fruit – Rabbinic or Biblical?

The *Gemora* proceeds to ask about the source for separate *terumah* for other species, aside from grapes, grains, and olives. The *Gemora* answers that *terumah* for other species is Rabbinic, and they patterned it on the Torah *terumah*. Tosfos (54a Ushnai) explains that although various sources in *Gemora* and Midrashim imply that only the *terumah* and *ma'aser* of vegetables is Rabbinic, all but grapes, grains, and olives are Rabbinic, but have more of a textual basis, giving it a status closer to Torah *terumah*. The *terumah* of vegetables has no textual basis at all, and is therefore considered more Rabbinic than any other *terumah*.

The Rambam rules that all *terumah* except for those on vegetables are indeed from the Torah. He could possibly maintain that the status of *terumah* on other species is itself a dispute in different *Gemoras*, and our *Gemora* is following the position that they are Rabbinic.

DAILY MASHAL

Great on the Outside and Humble Within

The Gemara explains that the windows in the Temple were "transparent outside and opaque from within" (according to original text, see Maharsha) – "that the windows were narrow within and wide from the outside to let out light to the world" (Rashi). HaGaon Rabbi Meir Shapira of Lublin zt"l said that these windows symbolize the sages. They are like windows, which shine the light of day into Israel. They are like pure crystal shining in the sun and lighting the whole