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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

Mishnah: The *mitzvah* of *reishis ha’geiz* (the first of the fleece) is applicable both within the Land (of Israel) and outside it, both during the existence of the Temple and afterwards, in respect of unconsecrated animals but not consecrated animals.

The law of the foreleg and the jaw and the abomasum is stricter than the law of *reishis ha’geiz*, for the law of the foreleg and the jaw and the abomasum applies both to cattle and flocks, whether they are many or few, whereas the law of *reishis ha’geiz* applies only to sheep, and only when there are many. What is meant by ‘many’? Beis Shammai say: At least two sheep, and Beis Hillel say: Five.

Rabbi Dosa ben Harkinas says: Five sheep, which each produce a fleece, the weight of a *maneh* and a half, are subject to the *mitzvah* of *reishis ha’geiz*. But the Sages say: Five sheep, whatever their fleeces weigh.

How much wool should one give him to the *Kohen*? The weight of five *sela’s* in Yehudah, which is equal to ten *sela’im* in the Galilee; of whitened wool, but not dirty wool; sufficient to make from it a small garment, for it is written: *You shall give him*, that is - there shall be enough that it can be called ‘a gift.’

If the owner did not manage to give the first of the shearings to the *Kohen* until it had already been dyed, he

would be exempt (from giving it to the *Kohen*, for now that it has been changed, it is not regarded as being “the first of his shearings”). If he only bleached it but did not dye it, he is still liable.

If a man bought the fleeces of a flock belonging to an idolater, he is exempt from giving *reishis ha’geiz*. If a man bought the fleeces of a flock from his fellow, and the seller kept some for himself, the seller is liable, but if he did not keep anything, the buyer is liable. If he had two kinds of sheep, fawn-colored and white, and he sold the fawn-colored one but not the white, or if he sold the wool of the males but not of the females, each of them must give the *reishis ha’geiz* for himself.

GEMARA: Why doesn’t [the law of *reishis ha’geiz*] apply to consecrated animals? — Because Scripture says: of your sheep, but not of the sheep of the Sanctuary. Now this is so because Scripture stated: ‘Of your sheep’, but without this [Scriptural indication] I should have said that consecrated animals are subject to the law of *reishis ha’geiz*; but surely they may not be shorn, for it is written: You shall not shear the firstborn of your flock! — In respect of animals consecrated for the altar this is indeed so,¹ but we were referring to animals consecrated to the Temple

¹ And no verse is necessary to exclude consecrated animals fit for a sacrifice from the law of the first of the fleece.

treasury.² But hasn't Rabbi Elozar said that animals consecrated to the Temple treasury are forbidden to be shorn and to be used for work? — [This is forbidden] by Rabbinic decree only. Now I might have thought that, since by Biblical law they may be shorn, where a man did shear them he should give [the Kohen the *reishis ha'geiz*; Scripture therefore teaches that they are not subject to the law]. But it is consecrated, is it not?³ — I might think that he must redeem it and give it to the Kohen. But surely it has to stand up to be appraised?⁴ This is well according to the one who says that animals consecrated to the Temple treasury are not subject to the law of 'standing up to be appraised', but what can you say according to the one who says that they are subject to this law? — Rabbi Mani bar Pattish suggested in the name of Rabbi Yannai: We are referring here to the case of a man who consecrated to the Temple treasury his animal apart from its fleece. Now I might have thought that he should shear it and give [the portion] to the Kohen. Scripture therefore states: 'Of your sheep' but not of the sheep of the Sanctuary. In that case it can also refer to an animal consecrated to the altar!⁵ — It would thereby become weak.⁶ Then the animal consecrated to the Temple treasury would also become weak thereby? — [We must assume that] he said: '[I consecrate the animal] except for

its fleece and the debility [resulting from *reishis ha'geiz*]. Then even with regard to an animal consecrated to the altar, [we can assume that] he said: '[I consecrate the animal] except for its fleece and the debility [resulting from the shearing thereof]!' — Even so the sanctity extends over the whole [animal].⁷ From where do you gather this? — Because [we have learned:] Rabbi Yosi said: Is it not the case that, in connection with animal offerings, if one said: 'Let the foot of this animal be an olah', the whole animal is consecrated as an olah?⁸ And even according to Rabbi Meir who declares that the whole animal does not thereby become [consecrated as] an olah, that is so only where one consecrated a limb that is not vital to the life [of the animal], but if one consecrated a limb that is vital to the life [of the animal], [he agrees that] the whole animal becomes consecrated.

Rava said: [Our Mishnah refers to the case] where a man consecrated the fleece only; now I might have said that he must shear it, redeem it, and give it to the Kohen. Scripture therefore states 'the fleece of your sheep shall you give him': this applies only to that which lacks shearing and giving but not to that which lacks shearing, redeeming and giving.⁹ And what does the expression 'of your sheep' come to teach us? — The following, which has been

² These consecrated animals may be shorn, and therefore a scriptural indication must be resorted to in order to exclude them from the law of the first of the fleece.

³ The fleece belongs to the Temple treasury, how then can it be suggested that it be given to the Kohen?

⁴ Every consecrated living animal and everything attached to it, when it is about to be redeemed must be able to stand up before the Kohen to be valued.

⁵ For since the animal only was consecrated and not the fleece, it is permitted to use the fleece, hence it is necessary for Scripture to teach that it need not be given to the Kohen.

⁶ I.e., by the shearing: it is therefore forbidden to shear the wool of a consecrated animal, even though the wool was not consecrated.

⁷ So that in the case of an animal consecrated to the altar the exception of the fleece cannot be regarded as a reservation and the whole animal is deemed to be consecrated; whereas in the case of an animal consecrated to the Temple treasury whatever is excepted will not be deemed to be consecrated.

⁸ Rabbi Yosi puts forward this argument to prove that where the foot of an animal was designated as a substitute for an already consecrated animal, the whole animal thereby becomes consecrated.

⁹ Hence the fleece of consecrated animals is not subject to the law of *reishis ha'geiz*. It must be observed that the rule of 'standing up to be appraised' does not come into consideration here for it does not apply to an inanimate object consecrated to the Temple treasury.

taught: An animal which is held jointly is subject to the law of *reishis ha'geiz*; Rabbi Ila'i declares it exempt.¹⁰ What is the reason for Rabbi Ila'i's view? — Because Scripture states 'of your sheep', but not of that which is held jointly. And the Rabbis? — [They say that] it serves to exclude only that which is held jointly with an idolater.¹¹ And from where does Rabbi Ila'i know that that which is held jointly with an idolater [is exempt]? — He derives it from the beginning of the verse, which reads: The first of your grain, but not that which is held jointly with an idolater. And the Rabbis? — The word 'first' [they say] interrupts the subject-matter. And Rabbi Ila'i? — 'And' [he says] connects this [with the above subject]. And the Rabbis? — [They say] the Merciful One then should have stated neither 'and' nor 'first'. And Rabbi Ila'i? — [He says] since the one has no sanctity whatsoever,¹² whereas the other is itself sacred, the two had to be [in the first place] stated separately and later connected.

Alternatively, you may say, the Rabbis are of the opinion that what is held jointly with an idolater is subject to

¹⁰ The expression 'of your sheep' — meaning sheep belonging to a single individual — excludes, according to the view of the first Tanna (later referred to as 'the Rabbis'), sheep held jointly by a Jew and an idolater, and according to Rabbi Ila'i, even that which is held by two Jews jointly.

¹¹ But that which is held by two Jews jointly is subject to the law of the first of the fleece, since each is individually subject to the law, and the people of Israel are often referred to as a single individual.

¹² Lit., 'it is consecrated as to its value'. Not to be taken literally, since the first of the fleece has no sanctity whatsoever, whereas *terumah* is sacred and may be eaten by none but Kohanim.

¹³ I.e., only the share held by the Jew. Consequently the expression 'your sheep' serves to exclude that which is held jointly with an idolater from the law of the first of the fleece, and the expression 'your grain' serves to exclude that which belongs entirely to the idolater.

¹⁴ *Tevel* (lit., mixed) is produce which is subject to tithes but from which these have not been separated. *Chulin* (lit., common,

terumah).¹³ For it has been taught: If a Jew and an idolater bought a field jointly, *tevel* and *chulin*¹⁴ are inextricably mixed up in it;¹⁵ these are the words of Rebbe. Rabban Shimon ben Gamliel says: The part belonging to the Jew is subject to the tithe, and the part belonging to the idolater is exempt. Now the extent of their difference consists in this, that the one authority [Rabbi Shimon] holds the principle of *bereirah* while the other does not hold the principle of *bereirah*, but both are agreed that whatever is held jointly with an idolater is subject to tithe.

In the further alternative you may say that both rules¹⁶ are derived, according to Rabbi Ila'i, from the expression 'your sheep'. For why is it that what is held jointly with an idolater is exempt [from the law of *reishis ha'geiz*]? Because it is not solely his. Then what is held jointly with another Jew should also be exempt, for it is not solely his. And the Rabbis? — [They distinguish thus:] An idolater is not subject to this law, whereas a Jew is.¹⁷

unconsecrated) is produce that is free entirely from tithes, e.g., what is bought from an idolater.

¹⁵ Even after they have divided between them the produce of the field, we do not assume that the share which each took eventually was intended for him from the beginning, so that the result would be that the Jew's share is wholly *tevel* and the idolater's wholly *chulin*. This would mean the application of the principle of *bereirah* i.e., retrospective designation. Rebbe does not accept this principle and maintains that each share, nay, each grain, is part *tevel* and part *chulin*; and the Jew therefore must separate the tithe for his share from this very produce but not from other produce, neither can this produce be set aside as tithe for other produce.

¹⁶ That sheep held jointly with a Jew as well as sheep held jointly with an idolater are exempt from the law of the first of the fleece.

¹⁷ It is not necessary that the sheep shall belong wholly to one person, all that the law insists upon is that it shall belong to parties each subject to the law, sc. Jews, for, after all, the people of Israel are often referred to as a single unit.

Rava said: Rabbi Ila'i agrees as regards terumah;¹⁸ for, although it is written; 'Your grain' [from which it would appear that] yours only [is subject to terumah] and not what is held jointly, the Merciful One stated: Your terumah.¹⁹ What then is the significance of 'your grain'? — It excludes what is held jointly with an idolater. Regarding challah, although there is written the word 'first', and one could draw an analogy by reason of the common word 'first' from the law of reishis hageiz: as there what is held jointly is exempt so here what is held jointly is exempt, the Merciful One stated: Your dough. Now this is so only because Scripture stated: 'Your dough', but had it not stated it I should have said that we should draw an analogy by reason of the common word 'first' from the law of reishis hageiz, but on the contrary we would rather draw the analogy from the law of terumah!²⁰ — This is indeed so; what then is the significance of 'your dough'? — That there must be as much as your dough.²¹ Regarding the corner of the field, although it is written: Your field [from which it would follow that] yours only is subject and not what is held jointly, the Merciful One stated: And when you reap the harvest of your land. What then is the significance of 'your field'? — It excludes what is held jointly with an idolater. Regarding the law of the firstborn, although it is written: All the firstborn males that are born of your herd and of your flock, [from which it would follow that] yours only is subject but not what is held jointly, the Merciful One stated: And the firstborn of your herd and of your flock. What then is the significance of 'your herd and your flock'? — It excludes what is held jointly with an

idolater. Regarding the law of mezuzah, although it is written: Your house, [from which it would follow that] yours only is subject but not what is held jointly, the Merciful One stated: That your days may be multiplied and the days of your children. What then is the significance of 'your house'? — It is as Rabbah stated. For Rabbah stated: The way you enter [your house], that is, with the right [foot].

DAILY MASHAL

Not to Despair

Rabbi Chayim Ben Atar explained: Even if someone sinned and is punished with *kareis* and his life will be cropped — “and when you crop the harvest of your land, do not finish the corner of your field to crop” — do not finish your soul till the last root, saying what have I got to lose? There's always a chance to repent (*Or HaChayim*, Vayikra 19:9).

¹⁸ That produce held jointly by Jews is subject to terumah.

¹⁹ The use of the second person plural suffix in this and in all subsequent cases indicates that the matter may be held by several persons jointly.

²⁰ With the result that what is held jointly by Jews is subject to challah, just as it is subject to terumah. For it is an established principle that where two analogies are possible, one leading to stringency and the other to leniency, we must adopt the former.

²¹ To be subject to challah there must be a minimum quantity of dough equal to a person's daily ration in the wilderness, viz., an omer per head, and an omer is the tenth part of an eifah. This is equivalent in mass to forty-three and one fifth eggs, for an eifah equals four hundred and thirty-two eggs. (One eifah = three se'ah; one se'ah = six kabin; one kav = four logs; one log = six eggs.)