



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

**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

Said Rava: The tenth is holy of its own accord.<sup>1</sup> From where does Rava know this? Shall I say from what was taught: I have here [mentioned] only that the tenth animal is holy when he calls it the tenth.

From where is it derived [that it is holy] even if he did not call it the tenth? The text states: ‘It shall be holy’, [intimating that] in any case [it is holy]. But perhaps [it means that] he did not call it the tenth but still called it holy?<sup>2</sup> — Rather [Rava derives his ruling] from what has been taught: If he called the ninth the tenth and when the tenth came out he said nothing, the ninth is eaten [only] if blemished and the tenth is the tithe!<sup>3</sup> Perhaps it is different here, for it was made quite clear that it was the tenth.<sup>4</sup> Or indeed [the Baraisa] refers to a case where he indicated<sup>5</sup> that it should be the tithe!<sup>6</sup>

<sup>1</sup> If he counted nine lambs and one remained in the shed although he did not count it, it is sacred of itself.

<sup>2</sup> Perhaps although he did not call it the tenth, it is holy because he called it holy, but where he did not even call it holy, then no holiness whatsoever attaches to the animal. From where, consequently, does Rava derive his ruling that the tenth animal becomes sacred on its own accord?

<sup>3</sup> We therefore say that the tenth is tithe automatically without having been called so.

<sup>4</sup> For since it followed the ninth, it was obvious that it was the tenth, and therefore it is like other tithe, although it was not called so. Rava therefore will not be able to prove his ruling from this Baraisa.

<sup>5</sup> With his finger when it passed through.

<sup>6</sup> Not saying anything, however. But where it remained in the shed and he made no sign that he wished it to be the tithe, one could not have inferred from the Baraisa that it was holy like other tithe.

Rather [he derives his ruling] from what has been taught: If he called the ninth the tenth and the tenth died in the shed, the ninth is eaten [only] if blemished<sup>7</sup> and all are exempt.<sup>8</sup> Now why are they all exempt? Is it not because the tenth is sacred?<sup>9</sup> — Perhaps the reason is because they became exempt by means of the [interrupted] count properly begun,<sup>10</sup> for Rava said: A count properly begun exempts!<sup>11</sup>

Rather [Rava derives his ruling] from what has been taught. If he called the ninth the tenth and the tenth remained in the shed, the ninth is eaten [only] if it is blemished and the tenth is the tithe.<sup>12</sup>

But has it not been taught: The ninth is chullin [secular]?<sup>13</sup> — A teacher of Braisos recited before Rav Sheishes: Whose opinion is this? It is that of Rabbi Shimon ben Yehudah: For it

<sup>7</sup> Since it has been called the tenth, the name of tithe making it holy.

<sup>8</sup> The eight which have already come out.

<sup>9</sup> Of itself in the shed, although it did not pass through.

<sup>10</sup> When the nine went out through the door there was the right number for tithing, for the tenth was still alive and was in a condition to follow in order to exempt them. And since the counting was properly begun, it is as if the tenth had actually passed through and it exempts the lambs counted. The tenth animal itself, however, is not sacred unless it passed under the rod.

<sup>11</sup> If one began to count ten lambs or more for tithing purposes and during the counting one animal died or ran off, those which passed the rod are accounted redeemed.

<sup>12</sup> Consequently we see that although it did not pass under the rod, it becomes holy on its own account.

<sup>13</sup> Unlike the Baraisa above which says that the ninth is eaten only while blemished.

was taught: Rabbi Shimon ben Yehudah reported in the name of Rabbi Shimon: The ninth also is not sacred<sup>14</sup> except when the name of the tenth was eliminated from it.<sup>15</sup> And it is a logical conclusion, for if the eleventh [animal] possesses sufficient holiness to be sacrificed<sup>16</sup> and is yet not holy except when the name of the tenth has been eliminated from it,<sup>17</sup> it surely follows that in the case of the ninth, which does not possess sufficient holiness to be sacrificed,<sup>18</sup> if the name of the tenth is eliminated from it, it is holy<sup>19</sup> but if not,<sup>20</sup> it is not [holy at all]!

But [on the contrary], it is thus that we should argue: The eleventh is capable of becoming holy enough to be sacrificed. If therefore the name of the tenth has been eliminated from it,<sup>21</sup> it should require this holiness, but if not, not.<sup>22</sup> But the ninth is not capable of becoming holy enough to be

<sup>14</sup> Referring to the Mishnah below where it says that if one called the ninth the tenth, the tenth the tenth, and the eleventh the tenth, the eleventh is not holy, since he has not omitted the proper name of the tenth, having counted the tenth as the tenth and not the tenth as the ninth. If, however, he called the tenth the ninth, i.e., if he omitted the proper name of the tenth from it, then the eleventh is sacred. The ninth, however, if it has been called the tenth, is sacred even if he called the tenth the tenth, i.e., if he did not omit the name of the tenth therefrom. Rabbi Shimon thereupon comes and says that even the ninth in such circumstances is not sacred etc.

<sup>15</sup> If he called the tenth the ninth.

<sup>16</sup> For if he called the eleventh the tenth, it is brought as a shelamim, this ruling being derived later on from a scriptural verse, and, yet in spite of this considerable sanctity, it is etc.

<sup>17</sup> When, for example, the tenth is called the ninth.

<sup>18</sup> Even if he called it the tenth it is not offered up, only it becomes so far holy that it must not be eaten except when it is blemished.

<sup>19</sup> That the ninth receives this minor holiness.

<sup>20</sup> If he does not eliminate the name of the tenth from it, i.e., if he calls the tenth the tenth.

<sup>21</sup> If he called the tenth the ninth.

<sup>22</sup> This being a comparatively high grade of holiness.

<sup>23</sup> I.e., acquire the minor holiness of not being eaten except when it is blemished.

sacrificed. Hence it should become holy<sup>23</sup> even if the name of the tenth has not been eliminated from it. Or perhaps [we can argue] seeing that the eleventh is not reached till the tenth has already established itself [as the tithe],<sup>24</sup> then if the name of the tenth was eliminated from it,<sup>25</sup> the eleventh becomes holy but if not,<sup>26</sup> not; whereas the ninth which comes before the tenth has established itself [as the tithe]<sup>27</sup> is holy even if the tenth has not been eliminated from it.<sup>28</sup> And there is nothing more to be said against it.<sup>29</sup>

Said Rava: A count properly begun redeems.<sup>30</sup> From where does Rava derive this? Shall I say from what we have learned: If one [of the lambs] already counted leaped in among the flock [in the shed] they are all exempt?<sup>31</sup> Now how are [the lambs] already counted exempt? Is it not by means of the count properly begun?<sup>32</sup> But perhaps they<sup>33</sup> had been already

<sup>24</sup> The tenth having already gone out before the eleventh, thus becoming the tithe automatically.

<sup>25</sup> By calling the tenth the ninth.

<sup>26</sup> If he called the tenth the tenth.

<sup>27</sup> As the calling of the ninth obviously precedes the calling of the tenth.

<sup>28</sup> If he proceeded to call the tenth the tenth.

<sup>29</sup> You cannot argue against this, for this is certainly the case that the ninth is holy in all circumstances, even if the tenth is counted the tenth.

<sup>30</sup> If he had ten lambs in the shed and he counted nine and the tenth died in the shed or passed through a different door from the others, the nine are redeemed and there is no need to combine them with the others of a later tithing period, since when he commenced counting the requisite number was available for tithing purposes.

<sup>31</sup> The questioner was under the impression that 'the lambs already counted' refers to the nine (or less) lambs already counted, one of which leaped back into the flock and those in the shed are exempted because he does not recognize which among them is the one which leaped back. Owing therefore to this doubt, not one of the animals is fit to be brought as tithe.

<sup>32</sup> There being ten lambs in the shed when the counting commenced.

<sup>33</sup> 'The lambs already counted' referred to in the Mishnah.

tithed!<sup>34</sup> — This you cannot say, for does it not state: If one of those already tithed leaped in among the flock! But perhaps the phrase ‘one of those already tithed’ refers to one actually set aside as tithe,<sup>35</sup> and I can also prove it, for it says: Let them go to pasture!<sup>36</sup>

Rava thereupon said: [My proof is as follows]. Scripture says: Shall pass, intimating, but not that which has already passed. Now what does ‘But not that which has already passed’ mean? If it means those already tithed,<sup>37</sup> is there any need to say this?<sup>38</sup> It must refer to those exempted because of a count properly begun.<sup>39</sup> It stands proved.

It has been taught in accordance with the ruling of Rava: If he had ten lambs and he led them into a shed, and after he had counted five<sup>40</sup> one of them died, if the one which died was of those already counted, he counts and combines them [with others].<sup>41</sup> But if the one which died was not of those yet counted, the counted ones are exempt<sup>42</sup> but those not yet counted combine with [others born] in a later tithing period.

Rava further said: If he had fourteen lambs and he led them into a shed, six [first] passing through one door,<sup>43</sup> four through another door and four remaining there [in the shed], if these four [eventually] passed through the same door as the six, he takes one of them as tithe,<sup>44</sup> and the rest<sup>45</sup> combine [in one shed] with those [born] in a later tithing period. But if not,<sup>46</sup> the six are exempt<sup>47</sup> and the four together with the other four combine with those [born] in a later tithing period.

If four pass through this door [first] and six through another door, four remaining there in the shed, if the four [eventually] pass through the same door which the six had passed through, he takes one as tithe and the rest are exempt.<sup>48</sup> And if not,<sup>49</sup> the first four and the six are exempt<sup>50</sup> and the last four combine with those [born] in a later tithing period.

<sup>34</sup> And not merely counted up to nine but actually redeemed.

<sup>35</sup> Therefore the passage ‘those already counted’ will refer to those already set aside as tithe and consequently Rava cannot prove his ruling that where he properly began to count and the tenth died, we consider the counted ones as redeemed.

<sup>36</sup> If therefore the lamb that leaped was chullin, why should it be condemned to pasture until blemished? The reason must therefore be because it is actually tithe, possessing the holiness of an animal set aside as tithe, and concerning each animal there is a doubt whether it be tithe.

<sup>37</sup> That they cannot be redeemed again.

<sup>38</sup> Surely there is no question that those already tithed once need not further be redeemed.

<sup>39</sup> Where a number were already counted, counting having begun properly with ten in the shed and the tenth died. This case Scripture exempts from redemption, since the animals had already passed through under the rod.

<sup>40</sup> The number five is not strictly meant, as it can be any number up to nine.

<sup>41</sup> In one shed until there are ten and then he takes one as tithe.

<sup>42</sup> Because it is a counting properly begun.

<sup>43</sup> There being two doors to the shed.

<sup>44</sup> Since ten lambs had passed through the same door.

<sup>45</sup> The four which passed through the other door, for we cannot exempt them on account of having begun to count them properly, as when the first four passed through the door there were only four left in the shed and you cannot combine four with four.

<sup>46</sup> If the four did not pass through the same door as the six but either remained in the shed or passed through the door of the other four thus making a total of eight, a number insufficient for tithing.

<sup>47</sup> Because when they left the shed there were sufficient lambs in the shed together with these for the requisite number for tithing.

<sup>48</sup> Even the first four are exempt because their counting was properly begun.

<sup>49</sup> If the four did not pass through the door of the six.

<sup>50</sup> Because when the first four passed through the door the counting was properly begun, there being ten left in the shed. Likewise with the six, when they passed through the door there were four left in the shed to combine for tithing.

If four passed through this door and four through another door, six remaining there [in the shed], if the remaining [six] passed through the door of one of them,<sup>51</sup> he takes one [as tithe]<sup>52</sup> and the rest are exempt.<sup>53</sup> And if not,<sup>54</sup> [the first] four and [the second] four are exempt<sup>55</sup> and the [remaining] six combine with those [born] in a later tithing period.

What does he [Rava] teach us? That a counting properly begun exempts! But hasn't Rava already taught us this ruling? — You might have said that we apply the principle that a counting properly begun exempts where it is certain that there is a proper number<sup>56</sup> but where it is uncertain whether there is a proper number<sup>57</sup> seeing that it is possible to combine the six either here<sup>58</sup> or there,<sup>59</sup> we do not apply [this ruling].<sup>60</sup> He [Rava] therefore informs us [that it is not so].

Rava further said: If he had fifteen<sup>61</sup> lambs he cannot say: 'I will select ten, bring them into the shed, take one [as tithe] from them and the rest will be exempt'. But he must bring them [all] into the shed, bring out ten lambs, take one from them [as the tithe] and the rest combine with those [born] in a later tithing period. So indeed it has been taught: If he had fifteen lambs he cannot say: 'I will select ten [meager ones], take one from them [as tithe] and the rest will be exempt'. But he must bring them [all] into the shed, bring out ten, take

one from them [as tithe], and the rest combine with those of a later tithing period.

But has it not been taught: If he had nineteen lambs he cannot say: 'I will select ten, take one from them [as tithe] and the rest will be exempt'. But he must bring them [all] into the shed, bring out ten, take one from them [as tithe] and the rest are exempt?

Rav Huna bar Sechorah explained this before Rava on [the Sabbath preceding] a Festival: We are dealing here with a shed which has two doors. Nine lambs passed through one door and nine through the other, thus [the remaining lamb] is fit [to combine either with those] here or there.

But why not explain [the Baraisa] as dealing with a case where he counted nine and when he reached [the number] ten, he called it one, [as] from the beginning? — He holds that the tenth is holy on its own account. And why not explain [the Baraisa] as dealing with a case where e.g., he counted [the nineteen lambs] in pairs? — Rav Huna holds: The tenth is rendered holy by the actual number of the animals.

<sup>51</sup> Either through the door of the first four or through the door of the last four.

<sup>52</sup> Because there are ten passing through the same door.

<sup>53</sup> Even those four through whose door the six did not pass, because when they went through the counting was properly begun.

<sup>54</sup> If the six did not pass through the door of the first four or the door of the other four, either remaining in the shed or passing through a third door.

<sup>55</sup> Because in the case of both the first and the second four lambs, the counting was properly begun, there being ten in the shed at the time of counting.

<sup>56</sup> Where, for example, he counted five or six and there were sufficient lambs in the shed to combine for tithing

purposes, there being also one door in the shed. In such circumstances, the rest are certainly fit to pass through that door and to combine in order to be tithed with those already counted.

<sup>57</sup> As, for example, where four passed through one door and four through another door, six remaining in the shed. Here we cannot say whether the six will pass through this door or the other.

<sup>58</sup> With the four which passed through one door.

<sup>59</sup> With the four which passed through the second door.

<sup>60</sup> Of a counting properly begun exempting from tithing.

<sup>61</sup> The number is not strictly meant, the usual practice however being to combine five with five so as to make up the required number for tithing.