

דף יומי • בכורות • דף נ"ט

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THE SUGYA

In this sugya, the Gemara delves into the mechanics of sanctifying ma'aser behemah and explores whether the tenth animal needs explicit verbal designation or if it automatically becomes holy on its own. Drawing comparisons between animal tithes and grain tithes, the Gemara examines various braisos to trace the exact source for Rava's shitta regarding the automatic kedushah of the tenth animal inside the pen.

We then move into a fascinating shakla v'tarya concerning errors made during the counting process. The Gemara analyzes the status of the ninth or eleventh animal mistakenly called 'tenth', evaluating Rabbi Shimon's kal v'chomer and exploring how a 'count fit to reach ten' affects the obligation of the entire flock.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 59A

BRAISA

אף תרומת מעשר נטלת באומד ובמחשבה,

Just as terumah gedolah can be designated in thought without explicit verbalization, **so too terumas ma'aser is taken by estimation and by thought alone;**

PROOF

ומעשר קרייה רחמנא תרומה,

and the Merciful One calls ma'aser rishon "terumah,"

PROOF

דכתיב: "כי את מעשר בני ישראל אשר ירימו לה' תרומה נתתי ללוים לנחלה",

as it is written: "For the tithe of the Children of Israel which they raise up to Hashem as terumah, I have given to the Levi'im as an inheritance."

EXPLANATION

ואיתקש מעשר בהמה למעשר דגן,

And now, ma'aser behemah is juxtaposed to ma'aser dagan (grain tithe),

INFERENCE

מה מעשר דגן ניטל באומד ובמחשבה — אף מעשר בהמה ניטל באומד ובמחשבה.

just as grain tithe is taken by estimation and by thought, so too animal tithe is taken by estimation and by thought. Thus we see that verbal counting is not strictly necessary for animal tithe.

STATEMENT

אמר רבא: עשירי מאליו הוא קדוש.

Rava says: The tenth animal becomes holy on its own, automatically, even if it was never counted or explicitly designated.

QUESTION

מנא ליה לרבא הא?

The Gemara asks: From where does Rava know this principle?

PROOF

אילימא מהא דתנא:

If we say he derives it from that which is taught in a braisa:

BRAISA

אין לי אלא שקרא שמו "עשירי", לא קרא שמו "עשירי" מניין?

"I only have a source that it becomes holy in a case where he called its name 'tenth'; from where do I know a case where he did not call its name 'tenth'?

BRAISA

תלמוד לומר: "עשירי יהיה קדוש" — מכל מקום.

The verse states: "The tenth shall be holy"—in any case," implying it becomes holy automatically even if not named tenth.

OBJECTION

ודלמא "עשירי" הוא דלא קרייה, "קדוש" קרייה!

The Gemara rejects this proof: But perhaps that braisa is discussing a case where he didn't call it 'tenth', but he did call it 'holy'? So it doesn't prove it becomes sanctified completely on its own without any speech!

PROOF

אלא מהא דתנא:

Rather, perhaps Rava derives it from that which is taught in this braisa:

BRAISA

קרא לתשיעי "עשירי", ויצא העשירי ולא דבר — התשיעי נאכל במומו, והעשירי מעשר.

If he called the ninth animal 'tenth', and the tenth came out and he did not speak at all, the ninth is eaten in its blemished state, and the tenth is holy as tithe. Here we see the tenth becomes holy even though he didn't utter a word!

OBJECTION

ודלמא שאני התם, דאיברר ליה עשירי,

The Gemara rejects this proof too: But perhaps it is different there, because the tenth was clearly clarified by the fact that it emerged from the pen;

OBJECTION

אי נמי, דאחוי עילוייה!

or alternatively, perhaps he pointed at it as it came out, so there was an action, whereas here where it stayed in the pen, it wouldn't become holy on its own!

PROOF

אָלאַ מהא דתנא:

Rather, Rava derives his ruling from that which is taught in this braisa:

BRAISA

קרא לתשיעי "עשירי", ומת עשירי בדיר — תשיעי נאכל במומו, וכולם פטורין.

If he called the ninth 'tenth', and the tenth died in the pen, the ninth is eaten in its blemished state, and all of them are exempt from ma'aser.

INFERENCE

מאי טעמא כולם פטורין, לאו משום דקדש ליה עשירי?

The Gemara analyzes: What is the reason that all of them are exempt? Is it not because the tenth became holy on its own inside the pen, thus exempting the flock?

OBJECTION

ודלמא דאיפטרו במנזן הראוי, דהאמר רבא: מנזן הראוי פוטר!

The Gemara rejects: But perhaps they were exempted because of a count fit to reach ten, as Rava himself says: A count fit to reach ten exempts the animals from tithe even if no tenth was actually separated!

PROOF

אָלאַ מהא דתנא:

Rather, Rava derives it from that which is taught in a braisa:

BRAISA

קרא לתשיעי "עשירי", ונשתייר עשירי בדיר — התשיעי נאכל במומו, והעשירי מעשר.

If he called the ninth 'tenth', and the tenth remained in the pen, the ninth is eaten in its blemished state, and the tenth is ma'aser! This explicitly proves that the tenth becomes holy even while remaining inside the pen.

QUESTION

והתנא: תשיעי חולין!

The Gemara asks a contradiction: But isn't it taught in another braisa: The ninth is total chullin (secular), not requiring a blemish to be eaten?

ANSWER

תני תנא קמיה דרב ששת: הא מבי? רבי שמעון בן יהודה היא,

A tanna recited a braisa before Rav Sheshet: Whose view is this ruling that the ninth is sanctified? It is Rabbi Shimon ben Yehuda,

BRAISA

דַּתְנִינָא: רַבִּי שְׁמַעוֹן בֶּן יְהוּדָה אוֹמֵר מְשׁוּם רַבִּי שְׁמַעוֹן:

as it is taught in a braisa: Rabbi Shimon ben Yehuda says in the name of Rabbi Shimon:

עמוד ב' DAF 59B

BRAISA

אִךְ הַתְּשִׁיעִי אֵינוֹ קָדוֹשׁ אֶלָּא אִם כֵּן נִעְקַר שֵׁם עֲשִׂירִי הֵימָנוּ,

The Baraisa according to Rabbi Shimon states: **Even the ninth** animal that was mistakenly called the tenth is **not sanctified unless the name of “tenth” was uprooted from** the actual tenth animal **itself**, meaning that the tenth animal was also called by a wrong name.

EXPLANATION

וְהַדִּין נוֹתֵן.

And logical reasoning dictates this result:

QUESTION

וְמָה אֶחָד עָשָׂר שֶׁהוּא עוֹשָׂה קְדוּשָׁה לִיקְרָב, אֵינוֹ קָדוֹשׁ אֶלָּא אִם כֵּן נִעְקַר שֵׁם “עֲשִׂירִי” הֵימָנוּ,

If regarding the **eleventh** animal mistakenly called tenth, which creates a sanctity to be offered up on the mizbe'ach as a shelamim, yet it is **not sanctified unless the name of “tenth” was uprooted from** the tenth animal **itself**;

QUESTION

תְּשִׁיעִי שֶׁאֵין עוֹשָׂה קְדוּשָׁה לִיקְרָב — אֵינוֹ דִּין שֶׁאִם נִעְקַר שֵׁם “עֲשִׂירִי” הֵימָנוּ — אֵין, אִי לָא — לָא?

then regarding the **ninth** animal mistakenly called tenth, which does not create a sanctity to be offered up as a korban, but is merely eaten after developing a mum, is it not logical that if the name of “tenth” was uprooted from the tenth animal **itself**, then **yes**, it becomes holy, but if **not**, then **no**, it does not become holy at all?

REFUTATION

הִיא הַנּוֹתֶנֶת!

The Gemara rejects this kal v'chomer: **That itself is what dictates** the opposite logic!

EXPLANATION

אֶחָד עָשָׂר שֶׁהוּא עוֹשָׂה קְדוּשָׁה לִיקְרָב, אִי נִעְקַר שֵׁם עֲשִׂירִי הֵימָנוּ — אֵין, אִי לָא — לָא;

Regarding the **eleventh** animal, which creates a sanctity to be offered up, its halocha is strict: if the name of tenth was uprooted from the tenth animal, then **yes**, it becomes holy; if **not**, then **no**, it does not become holy.

EXPLANATION

תשיעי שאינו עושה קדושה ליקרב, אף על גב דלא נעקר שם עשירי הימנו.

However, regarding the **ninth** animal, **which does not create a sanctity to be offered up**, perhaps it becomes sanctified **even though the name of tenth was not uprooted from** the tenth animal!

EXPLANATION

אי נמי, אחד עשר, דאיברר ליה עשירי — אי נעקר שם עשירי הימנו — אי לא — לא.

Or alternatively, you can refute it another way: Regarding **the eleventh** animal, **where the tenth has already been clarified** and designated before the eleventh came out, **if the name of tenth was uprooted from** the tenth animal, then **yes**, it becomes holy, but **if not**, then **no**, it does not become holy.

EXPLANATION

תשיעי, דאפתי לא איברר ליה עשירי, ואף על גב דלא נעקר שם "עשירי" הימנו,

Whereas regarding the **ninth** animal, **where the tenth has not yet been clarified** when the ninth emerges, it becomes sanctified **even though the name of "tenth" was not uprooted from** the tenth animal later!

STATEMENT

תו לא מדידי.

The Gemara concludes: There is **nothing more** to be said to uphold Rabbi Shimon's proof, and his view is refuted.

STATEMENT

אמר רבא: מנין הראוי פוטר.

Rava said: A count that was fit to reach ten **exempts** the animals counted from ma'aser, even if the count was interrupted before reaching ten.

QUESTION

מנא ליה לרבא הא?

The Gemara asks: **From where does Rava have this** halocha?

QUESTION

אלימא מהא דתנו: קפץ אחד מן המנויין לתוכן — כולן פטורין.

If we say he derives it **from that which we learned in our Mishnah**: If one of the **counted** animals **jumped back into them**, into the pen among those that were not yet counted, **all of them are exempt** from ma'aser;

QUESTION

מנויין גופייהו דאיפטרו — לאו במנין הראוי?

and we analyze it: As for the **counted** animals **themselves that were exempted**, is it not because they were counted **with a count that was fit** to reach ten?

REFUTATION

ודלמא דעשר עילויהו!

The Gemara rejects this: **But perhaps** that Mishnah is talking about a case **where he had already tithed over them**, meaning the tenth animal had already emerged and tithed those that came before it!

OBJECTION

הָיָא לָא מְצִית אֲמַרְתָּ, הָא תִּנִּי: מִן הַמְעוֹשָׁרִין לְתוֹכָן!

The Gemara pushes back: **You cannot say that**, for **behold, the sefa teaches** a separate case: If one of those that were tithed jumped back **into them!** This implies the reisha is dealing with animals that were counted but not yet tithed!

ANSWER

וְדִלְמָא מַאי "מְעוֹשָׁרִין"? מַעֲשֵׂר דְּוָקָא, דִּינָקָא נָמִי דְּקִתְנִי "יִרְעוּ"!

The Gemara answers: **And perhaps what** does "tithed" mean in the sefa? It means the actual **ma'aser specifically**, the tenth animal itself! **The language is also precise, as it teaches:** All of them **shall graze**, which is a stringency that applies when a true ma'aser animal gets mixed in, but not merely counted animals. So Rava could not have proven his rule from there.

PROOF

אֵלָא אֲמַר רַבָּא: אֲמַר קָרָא "יַעֲבוֹר", וְלֹא שְׂפָכָר עָבַר.

Rather, Rava said: The posuk says, "Whatever shall pass under the rod, the tenth shall be holy"—implying that animals that are yet to pass require tithing, **and not** an animal **that has already passed**.

EXPLANATION

מַאי שְׂפָכָר עָבַר? אִי דַעֲשֵׂר עִלְוִיָּהּ — צְרִיכָא לְמִימָרָא?

Now, **what is** this animal **that has already passed**? If you say it means **that he already tithed over them**, does that need to **be said**? Obviously once an animal is tithed, it doesn't need to be tithed again!

INFERENCE

אֵלָא לָאו דְּאִיפְטַרוּ לְהוּ בְּמִנְיָן הָרְאוּי? שְׁמַע מִינָּה.

Rather, is it not referring to animals **that were exempted through a count that was fit** to reach ten? The Gemara concludes: **Learn from this** that it is so.

PROOF

תִּנִּיָא כְּוֹתִיָּה דְּרַבָּא:

It was taught in a Baraisa **in accordance with Rava:**

BRAISA

הָיוּ לוֹ עֶשְׂרֵה טְלָאִים וְהִכְנִיסָן לְדִיר, וּמִנָּה חֲמִשָּׁה, וּמֵת אֶחָד מֵהֶם —

If a person had ten lambs and brought them into the pen, and he counted five, and then one of them died—

BRAISA

אִם מִן הַמְּנוּיִים מֵת — מוֹנֶה וּמְשָׁלִים עֲלֵיהֶם,

if one of the counted ones died, he continues counting and completes the ten upon them, because the count of five was broken and was not a fit count;

וְאִם מִשְׁאֵינָן מִנוּיִים מֵת — מִנוּיִים פְּטוּרִין, וְשְׂאֵינָן מִנוּיִים מִצְטָרְפִין לְגוּרָן אַחֵר.

and if one of those that were not counted died, the counted ones are exempt, because at the time they were counted it was a minyan haraui, a count fit to reach ten, and those that were not counted combine at another threshing floor season to be tithed.

STATEMENT

וְאָמַר רַבָּא: הָיוּ לוֹ אַרְבָּעָה עָשָׂר טְלָאִים וְהַכְנִיסָן לְדִיר, וְיָצְאוּ שֵׁשָׁה בְּפֶתַח זֶה, וְאַרְבָּעָה בְּפֶתַח זֶה, וְאַרְבָּעָה נִשְׁתַּיְּרוּ שָׁם.

And Rava said: If a person had fourteen lambs and brought them into a pen, and six came out through this opening on one side, and four came out through that opening on the other side, and four remained inside the pen:

STATEMENT

אוֹתָם אַרְבָּעָה, אִם בְּפֶתַח הַשֵּׁשָׁה יָצְאוּ — נוֹטֵל אֶחָד מֵהֶם, וְהִשָּׂאָר מִצְטָרְפִין לְגוּרָן אַחֵר;

Regarding those four that remained, if they came out through the opening of the six, combining with them to make ten, he takes one of them as ma'aser for the ten, and the remaining four (from the other opening) combine at another threshing floor season;

STATEMENT

וְאִם לֹאוּ — שֵׁשָׁה פְּטוּרִין, וְאַרְבָּעָה אַרְבָּעָה מִצְטָרְפִין לְגוּרָן אַחֵר.

and if not, meaning they did not come out through the door of six, then the six are exempt because they were part of a fit count of fourteen, and the two groups of four and four combine at another threshing floor season.

STATEMENT

יָצְאוּ אַרְבָּעָה בְּפֶתַח זֶה, וְשֵׁשָׁה בְּפֶתַח זֶה, וְנִשְׁתַּיְּרוּ שָׁם אַרְבָּעָה —

If four came out through this opening, and six through that opening, and four remained inside—

STATEMENT

אִם אוֹתָם אַרְבָּעָה בְּפֶתַח הַשֵּׁשָׁה יָצְאוּ — נוֹטֵל מֵהֶם אֶחָד, וְהִשָּׂאָר פְּטוּרִים;

if those four came out through the opening of the six, he takes one of them as ma'aser for that ten, and the rest, the original four from the other door, are exempt because they belonged to a fit count of fourteen;

STATEMENT

וְאִם לֹאוּ — אַרְבָּעָה וְשֵׁשָׁה פְּטוּרִים, וְאַרְבָּעָה מִצְטָרְפִין לְגוּרָן אַחֵר.

and if not, the four and the six are exempt because both counts were fit to reach ten, and the four remaining ones combine at another threshing floor season.

STATEMENT

יָצְאוּ אַרְבָּעָה בְּפֶתַח זֶה, וְאַרְבָּעָה בְּפֶתַח זֶה, וְנִשְׁתַּיְּרוּ שָׁם שֵׁשָׁה —

If four came out through this opening, and four through that opening, and six remained inside—

STATEMENT

אם אותן ששה יצאו בפתח אחד — נוטל מהם אחד והשאר פטורים;

if those six came out through one of the openings, he takes one of them as ma'aser to join the four from that door, and the rest are exempt;

STATEMENT

ואם לאו — ארבעה פטורים, וששה מצטרפין לגורן אחר.

and if not, if three went out each door, the four and four are exempt, and the six combine at another threshing floor season.

QUESTION

מאי קא משמע לן, דמנין הראוי פוטר? והאמרה רבא חדא זמנא!

The Gemara asks: What is this coming to teach us? That a count fit to reach ten exempts? But Rava already said it once!

ANSWER

מהו דתימא: ודאי מנין הראוי אמרינן, ספק מנין הראוי, דחזי להכא ודחזי להכא — לא אמרינן, קא משמע לן.

The Gemara answers: Lest you say: Only a definite count fit to reach ten do we say exempts, but a doubtful count fit to reach ten—where it is fit for here and fit for there, as it could potentially join either exit—we do not say it exempts; therefore Rava comes to teach us that even a doubtful minyan haraui exempts.

STATEMENT

ואמר רבא: הוּי לו חמשה עשר טלאים, לא יאמר: אברור עשרה ואכניסם לדיר ואטול מהם אחד, והשאר פטורים,

And Rava said: If a person had fifteen lambs, he should not say: “I will select ten, put them into the pen, and take one from them as ma'aser, and the remaining five will be exempt” without putting them in the pen;

STATEMENT

אלא כונסן לדיר, ומוציא עשרה, ונוטל מהם אחד, והשאר מצטרפין לגורן אחר.

rather, he must bring all of them into the pen, and release ten, and take one from them, and the remaining five combine at another threshing floor season.

PROOF

תנא נמי הכי: הוּי לו חמשה עשר טלאים,

It was also taught in a Baraisa like this: If a person had fifteen lambs,

SUMMARY

The Gemara demonstrates that just as terumah gedolah and ma'aser dagan can be designated through thought and estimation, ma'aser behemah likewise does not strictly require explicit verbal counting. Rava establishes that the tenth animal becomes holy automatically, a principle the Gemara proves from a braisa where the tenth remains in the pen after the ninth was

mistakenly called 'tenth'. The Gemara then analyzes Rabbi Shimon's opinion regarding the ninth animal, refuting his logic that it depends on uprooting the status of the tenth. Finally, the Gemara introduces Rava's rule that a count fit to reach ten exempts the counted animals from future ma'aser obligations, even if the counting was interrupted before the tenth animal actually emerged.

למעשה WHAT TO TAKE HOME

Rava teaches us a remarkable chiddush on our daf: "asiri me'elav hu kadosh", the tenth animal becomes holy on its own. When a Yid counts his flock and reaches ten, that tenth animal becomes kedosh ma'aser even if he never opened his mouth to say the word "asiri." The inherent kedushah of Hashem's mitzvah rests upon it automatically, simply because it reached the place where it belonged.

There is a deeply inspiring lesson here for our own avodah. A person might sometimes feel small, disconnected, or uninspired. You might think, "I didn't say the tefillah with enough kavana," or "I am not on a high spiritual madreiga right now." But the Torah is revealing to us that kedushah is not always created by our brilliant words or intense feelings. When you step up to do a mitzvah, when you put yourself in the place of Hashem's ratzon, the kedushah is activated me'elav, on its own. By virtue of you being there and standing counted as part of Hashem's nation, Hashem rests His holiness upon you.

Don't wait until you feel perfect or spiritually inspired to do what is right. Just put yourself in the room, open the sefer, or stand up to davening. Set yourself in place for the mitzvah, and trust that Hashem's kedushah will automatically rest upon your actions.

Today, perform one mitzvah, whether opening a sefer or giving a coin to tzedakah, without waiting for the "right mood," relying on the reality that doing the act itself brings Hashem's kedushah.