

31.9.5

57b (משנה ה) → 58b (קמ"ל)

- I ה משנה ה: the 3 גרנות למעשר (a borrowed term from דגן meaning "granary", means times when we designate מע"ב; used to imply that, just as with דגן, animals are "טבל" before being tithed)
- i Note: reason for 3 (per גמרא) – corresponding to early, middle and late-season births
 - ii And: reason for these times – to have animals available for עולי רגל
 - 1 Even though: per משנה ו, permitted to sell before גורן, a person would prefer to fulfill מצוה completely
- b ע"ע "פרוס" (15 days before) each רגל - and these are גרנות (i.e. the animals are "טבל" from that time)
- i Meaning of פרוס: 15 days, as per meaning "half" – applied to הלכות פסח, which "begin" 30 days in advance
- c אב 29 and 29 סיון 1, אדר 29: בן עזאי
- i Analysis of dispute: ר"ע holds that אדר before ניסן is always חסר → can use "פרוס" and it will always be אדר 29
 - 1 פרוס sometimes it is מלא → uses set date and doesn't rely on פרוס
 - 2 And: בן עזאי is concerned that because few animals are born between פסח and שבועות, if the date is 2 weeks in advance, won't be enough animals for רגל
 - 3 And: בן עזאי holds that אלוילים are taken separately → אב 29 is the "break point" before סוכות
 - (a) Question: why not allow on אב 30?
 - (b) Answer: sometimes אב is חסר and we need a clear marker between חדש and ישן (see משנה א)
 - d ר"א ור"ש (ראש השנה in י"ט of מע"ב on ר"ח תשרי – we may not separate מע"ב on ר"ח תשרי)
 - i Reason for 1 ניסן: they hold like רשב"ג – we begin teaching פסח 2 weeks before (=ניסן 1)
 - ii Reason for 1 סיון: as per above (בן עזאי)
 - iii Reason for 29 אלול: they hold (ר"ה א:א) that the new year for מע"ב is ר"ח תשרי
 - 1 Challenge (to reason given in משנה for moving up to 29 אלול): we also need to move it up to separate חדש/ישן
 - 2 Answer: the משנה is giving one of two reasons – both valid considerations
 - (a) Note: reason we may not tithe on יום טוב – due to red paint we put on מע"ב
 - e ד"מ: אלול 1 is the new year for מע"ב (→ any animal born afterwards is מעושר with the next year's litters)
 - f בן עזאי: the animals born in אלול are separated indendently (neither with pre-אלול ר"ח nor with post-תשרי ר"ח)
 - i Clarification: בן עזאי could not decide between ר"ח (אלול) and ר"ח (תשרי) as to when ר"ח for מע"ב
 - 1 Challenge: why not see whose arguments are more appealing?
 - 2 proposal: perhaps בן עזאי could not follow their arguments
 - (a) rejection: he himself declared that he could discern who is the greatest חכם (ר"ע)
 - 3 rather: both ר"ח and ר"ח had a tradition dating back to חגי זכריה ומלאכי
 - ii application of בן עזאי's rule about אלול (תוספתא בכורות ז:ח): how does בן עזאי's ruling apply?
 - 1 Answer: if he had 5 born in אב and 5 in אלול – no צירוף; if he had 5 born in אלול and 5 in תשרי – no צירוף
 - (a) But: if he had 5 born in תשרי and 5 in the (following) אב – they can be joined for tithing
 - (i) Challenge: this is obvious
 - (ii) Defense: we may have thought that an interruption of a גורן makes them unable to be joined – קמ"ל – 1. Per: משנה ו (below)
 - 2 דבא: if he had 5 born in אב, 5 in אלול and 5 in תשרי, he puts them all in the corral, makes sure to take an אלול-born animal as מעשר and they are all פטורים one way or the other
 - (a) If: ר"ח for מע"ב is אלול, ר"ח, the 2nd 2 sets born are חייב and the 1st is exempt;
 - (b) And if: ר"ח for מע"ב is תשרי, ר"ח, the 1st 2 sets born are חייב and the 3rd is exempt
 - (i) Consideration: no concern that we should have to keep the 5 תשריים for the next גורן
 - (ii) Reason: the תורה only obligated animals that are certainly חייבים, not ספק
 - (c) Challenge: רבא's solution is obvious (as long as אלול is taken, to erase any doubt)
 - (d) Answer: we might consider prohibiting the solution as a precaution against taking of the others – קמ"ל
- II ו משנה ו: applications of מעשר
- a Animals born: between ר"ח תשרי and כט באלול (per ר"א ור"ש) may be joined for מע"ב
 - i Therefore: if 5 are born before ר"ח תשרי and 5 afterwards – cannot be joined
 - ii But: if 5 are born before the גורן and 5 afterwards, they are מצטרף
 - iii If so: what is the impact of 3 גרנות?
 - 1 Answer: until גורן, permissible to sell or slaughter; once גורן arrives, forbidden (מד"ט) without tithing
 - (a) However: if he did slaughter or sell afterwards – no consequences