

XI.

BAVLI HULLIN CHAPTER ELEVEN

FOLIOS 135A-138B

11:1

- A. [The laws concerning the obligation to donate to the priest] the first shearings [of wool from the sheep of one's flock (Deu. 18: 4)] apply both inside the Land of Israel and outside the Land of Israel,
- B. in the time the Temple [in Jerusalem stands] and in the time the Temple does not [stand].
- C. [And the laws apply] to [the fleece of] unconsecrated [animals] but not to [the fleece of animals that were] consecrated [to the Temple].
- D. A stricter rule applies to [the obligation to give to the priest] the shoulder, the two cheeks and the maw [of one's animals] than to [the obligation to give to the priest] the first shearings [of wool from the sheep of one's flock].
- E. For [the obligation to give to the priest] the shoulder, the two cheeks and the maw [of one's animals] applies both to the [large] animals of one's herd and to the [small] animals of one's flock.
- F. And [the law applies] to [a case where one slaughtered] a large number [of animals] or a small number [of animals — even one animal].
- G. But the [law regarding the] first shearings [of wool from the sheep of one's flock] applies only to sheep,
- H. and only in [a case where one slaughtered] a large number [of animals].
- I. And how many constitute “a large number?”
- J. The House of Shammai say, “[At least] two sheep.” As it says in scripture, “A man shall rear a young cow and two sheep” (Isa. 7:21). [The term for flock is used in the verse referring to two animals.]
- K. And the House of Hillel say, “[A large number means at least] five.” As it says in scripture, “Five sheep prepared” (1Sa. 25:18). [“Prepared” implies that they had been subject to the gift of the first shearings.]
- L. R. Dosa b. Hyrcanus says, “Five sheep from which one produces [the value of] a maneh and a half each of wool — these [shearings] are subject to [the rules of] the first shearings.”

- M. And sages say, “Five sheep from which one shears any amount [these shearings are subject to the rules of the first shearings].”
- N. And how much must one give to him [i.e., to the priest from the first shearings of the flock]?
- O. [An amount equivalent to] the value of five sela in Judea.
- P. And this is equivalent to [the value of] ten sela in the Galilee.
- Q. [And he must give] white [bleached] wool and not soiled [unbleached] wool [i.e., the higher quality of wool].
- R. [And he must give] enough to make a small garment [from the wool].
- S. As it says in scripture, “You shall give to him (Deu. 18: 4).” [This implies that you must give him enough] so that [legitimately] it can be considered a gift.
- T. If he did not have a chance to give to [the priest a share from the first shearings] before they dyed [the wool], he is free of his obligation [to give the shearings to the priest after dying it].
- U. If they bleached [the wool before giving a share to the priest] but as yet did not dye it, he is liable [to give a share of the wool to the priest].
- V. One who buys shearings of wool from a gentile is exempt from the obligation to give from it a gift of the first shearings [to the priest].
- W. One who buys shearings of wool from his fellow [is subject to the following rules]:
- X. If [the buyer did not buy the entire lot of the wool but] left over [some of the wool of the lot in the possession of the seller], the seller is liable [to give from that a gift of wool to the priest].
- Y. [But if the buyer] did not leave over [any wool in the possession of the seller, but purchased the entire lot], the buyer is liable [to give the priest a gift from the wool].
- Z. If [the seller] had two kinds [of wool], gray and white [the rule is as follows]: If he sold him the gray wool, but not the white wool,
- AA. [or if he had separate lots of wool from males and from females and] he sold him [the wool from] the males, but not from the females,
- BB. this one [the buyer] gives of his own [a gift of wool to the priest] and this one [the seller] gives of his own.
- I.1** A. [The law of the first shearings does not apply to animals that were] consecrated to the Temple [M. 11:1 C].
- B. *What is the basis in scripture for this exclusion?*
- C. *Scripture says, “Of your flock” (Deu. 18: 4).*
- D. [This implies] not those sheep that belong to the Temple.
- E. *[The Talmud pursues the implications of this line of reasoning.] Is the reason that scripture used the language “Of your sheep” because otherwise, if it had not [used the language], I would have reasoned that consecrated animals are obligated in the rule [that one must give] the first shearings [to the priest]?*
- F. *[No. This could not have been our conclusion because] lo [such animals] may not be shorn [at all].*

- G. *As it is written, “And you shall not shear the first born of your sheep” (Deu. 15:19). [This implies that all consecrated animals must not be shorn.]*
- H. *If one were referring [in F] to animals consecrated for offering upon the altar — it would be correct [to deduce from the verse that all such animals may not be shorn while in the possession of the Temple before they are offered as sacrifices on the altar.]*
- I. *[But] here [in our discussion] we are dealing with [a case of] animals that were consecrated to the Temple treasury [and unlike animals consecrated for sacrifice on the altar, these may be shorn].*
- J. But said R. Eliezer, “[Do we not have a teaching to the contrary?] For lo, animals consecrated to the Temple treasury are prohibited to be shorn, or to be used for work. [And if one does shear them, he may not give the priest the first shearings.] [b. Bekh. 14a.]
- K. *[However this law that prohibits shearing such an animal is only] on the authority of the rabbis.*
- L. *You might have concluded then that since on the authority of the Torah [animals belonging to the Temple treasury] may be shorn, in a case where one does shear them [against the rule of the rabbis] he must give [the first shearings to the priest. The verse therefore uses the words, “Of your flock” to exclude from the obligation sheep that belong to the Temple treasury.]*
- M. *But is not [the entire animal] already consecrated? [What will be changed by giving the first shearings to the priest?]*
- N. *You might have concluded that he should first redeem [the animal] and then give [the first shearings back to the priest].*
- O. *But does not [the animal] need to be examined and appraised [to establish its market value before it can be redeemed? And if he already sheared the animal, the appraisal will not take into account the value of the shearings and they will not be redeemed. So this suggestion makes no sense.]*
- P. *This would settle the matter according to the authority who holds the view that consecrated animals belonging to the Temple treasury were not subject to the rule that they be examined and appraised [before they are redeemed].*
- Q. *But according to the authority who holds the view that they were [subject to that rule] what can we say? [The objection at O stands.]*
- R. *Said R. Mani bar Patish in the name of R. Yannai, “This case [at issue] is one in which he consecrated his animal to the Temple treasury excluding [from his gift to the Temple] the shearings [from the animal].”*
- S. *You might have concluded that he then may go ahead and shear it and give [to the priest from the first shearings].*
- T. *[Accordingly] scripture says, “Of your flock” and not of the flock belonging to the Temple treasury.*
- U. *If so [why not include in this discussion] as well [a case where one excluded the shearings from his gift to the Temple of] animals consecrated for sacrifice on the altar?*

- V. *[No. Such a case is not possible to construct because the process of shearing the wool would] weaken [the animal. Hence even if one says he consecrated an animal for the altar except for its wool, he may not then go and shear it.]*
- W. *[Let us then say the same regarding an animal] consecrated to the Temple treasury. [One is not permitted to shear it because that would] weaken [the animal.]*
- X. *[We are speaking here of a case in which] he said [he consecrates his entire animal to the Temple treasury] except for the shearings and [except for] the loss of value due to any weakness after the shearing.*
- Y. *[If a person can make such a stipulation, why not say he can do so] regarding an animal consecrated [as a sacrifice] for the altar? [Why not say that he might have consecrated it to be a sacrifice on the altar] except for the shearings and the loss due to weakness after the shearing?*
- Z. *[The answer is in general one cannot make such a stipulation. Even if he did say that he consecrated an animal for use as a sacrifice on the altar, except for the wool, the sanctity would] spread to the entire animal [including the wool, because the animal becomes a Holy Thing. But one who consecrated his animal to the Temple treasury transfers the ownership to the Temple, but does not make it into a Holy Thing. And in such a case one can distinguish between the animal itself and the shearings.]*
- AA. *And what is the basis for saying this? For said R. Yosé, “Lo, [the rule is] with regard to animals consecrated to the altar — one who says, ‘May this one’s foot be consecrated as a burnt-offering — [in that case] the whole animal takes on the sanctity of a burnt-offering.” [b. Hul. 69b, M. Tem. 1:3.]*
- BB. *And even according to the view of R. Meir who said, “[In such a case] the whole animal does not take on the sanctity of a burnt-offering,” this rule applies only in a case where he consecrated a part [of the animal] not vital to its life [such as a foot. If it is cut off, the animal will continue to live.] But if he consecrated any parts of the animal vital to its life, [as when one consecrates the entire animal except the fleece, with that action] he consecrated [thereby the entire animal, including the fleece.]*
- I.2 A.** *Raba said, “[The Mishnah’s rule, that the law of the first shearings does not apply to animals that were consecrated to the Temple [M. 11:1 C], applies to a case where] he consecrated the shearings themselves [to the Temple treasury].”*
- B. *You might have concluded that [the law of first shearings applies here and] he must shear the animal, redeem the fleece [by buying it back from the Temple], and then give [from that fleece a gift to the priest].*
- C. *[Accordingly] scripture says, “Of the first shearings of your flock you shall give to him” (Deu. 18: 4). [The verse implies you must give to the priest from] that [wool] that needs only [undergo two processes before one can fulfill with it the obligation to give the gift to the priest,] shearing and transferring [to the priest]. [The verse by that] excludes [a case that] needs [three processes:] shearing, redemption and transferring.*

- I.3 A.** *[If we do not use the words “Of your flock” to exclude a consecrated animal from the obligation to give the first shearings to the priest,] what then does “Of your flock” come [to teach us]?*
- B. *[It comes to teach us the following] as it was taught on Tannaite authority. **An animal that belonged to partners is liable [to the rule of the] first shearings.***
- C. **R. Ilai exempts [such an animal from the obligation] [T. 10:4 B, D].**
- D. *What is the basis in scripture for R. Ilai’s view? Scripture says, “Of your flock,” [implying that the flock must be yours only and] not [a flock] that is owned by partners.*
- E. *And the rabbis [derive from this verse a different rule, namely] the exclusion [from the obligation of the first shearings, fleece that comes from a flock owned] in partnership [by a Jew with] a gentile.*
- F. *And on what basis does R. Ilai derive [the exclusion from the obligation for a flock owned] in partnership [by a Jew with] a gentile?*
- G. *He derives it from the beginning of the verse, “The first fruits of your grain, [your wine and your oil, and from the first shearings of your flock you shall give to him]” (Deu. 18: 4). [The obligation falls upon what belongs entirely to you,] and not what you own in partnership with a gentile. [This exclusion also applies to the obligation to give to the priest a gift of the first shearings, specified in the latter part of the verse.]*
- H. *And [why do] the rabbis [not accept this interpretation of the verse]?*
- I. *[They say that the second use in the verse of the word] “first” separates the matters [of the first and second parts of the verse, so that one cannot derive from the first part of the verse, which deals with other gifts to the priests, anything concerning the law of the first shearings in the second part of the verse].*
- J. *And [how does] R. Ilai [respond to this interpretation]? [He says that] “and” [in the verse] joins the two matters together [so that one may derive from one part of the verse information pertinent to the second part of the verse.]*
- K. **[135b]** *And [how do] the rabbis respond to this interpretation? [They say] the Torah could have omitted both “and” and “first” [from the verse. Since it did not it must teach us that the matter of the second part of the verse must be considered apart from the first.]*
- L. *And [how does] R. Ilai [respond to this interpretation]? [He says] since [the two matters concern different rules,] one relates to [the first fruits that is a case involving] the consecration of money and the other relates to [the first shearings that is a case involving] the consecration of the objects themselves, scripture first separated the matters [by repeating the word “first”] and then joined them back together [by adding “and”].*
- M. *And if you prefer [the following is] an alternative explanation [of why one cannot derive any inference regarding the rule of first shearings in the second half of the verse, from the first part of the verse, understood by the*

Talmud to refer to the obligation to give heave-offering to the priest from one's produce.]

- N. *[Produce held in] partnership with a gentile the rabbis hold is liable to have heave-offering separated from it. [Accordingly, we could not derive from the first part of the verse that such produce held jointly with a gentile is free from liability to other gifts to the priest, such as the rule of first shearings.]*
- O. *As it was taught on Tannaite authority: “[Concerning] an Israelite and a gentile who purchased a field as partners, [what grows in that field is deemed to be] a mixture of *tebel* and unconsecrated produce,” the words of Rabbi. [This kind of mixture presents a serious problem because according to the accepted rules, when he separates heave-offering and tithes, this produce must be dealt with separately from the rest of his crops.]*
- P. **Rabban Simeon b. Gamaliel says, “What belongs to the Israelite is liable [to the obligation of heave-offering] and what belongs to the gentile is not liable.” [Accordingly, one may separate heave-offerings and tithes from the portion belonging to the Israelite] [T. [Terumot 2:10](#)].**
- Q. *On this point the parties disagree only on the basis of the principle of law. One master reasons in accord with [the principle that the final division of the crop between the partners] clarifies retroactively [which produce from the time it began growing belonged to the Jew and which to the gentile. This is the view of Simeon b. Gamaliel (b. Erub. 36b).]*
- R. *And the other master reasons in accord with [the principle that the final division of the crop between the partners] cannot be clarified retroactively [and we do not know which produce from the time it began growing belonged to the Jew and which to the gentile. This is the view of Rabbi.]*
- S. *But both parties agree that [produce grown in a field of a Jew who is in] partnership with a gentile is liable [to heave-offerings and tithes].*
- T. *And if you prefer [the following is an] alternate explanation [of why one cannot derive any inference regarding the rule of first shearings in the second half of the verse, from the first part of the verse, understood by the Talmud to refer to the obligation to give heave-offering to the priest from one's produce.]*
- U. *Both [exemptions, i.e., for sheep held by Jewish partners and for sheep held by a Jew in partnership with a gentile] may be derived according to R. Ilai [cf. 1.3 above] from the language, “Of your flock.” [We need not say that you derive any rule regarding the sheep from the first part of the verse.]*
- V. *Why are [sheep held by a Jew] in partnership with a gentile [not subject to the rule of first shearings]?*
- W. *Because they are not designated as his own. [Each partner owns a share in each animal. Neither owns a unit of his own.]*

- X. *[Why are sheep held by a Jew in partnership] with a Jew [not subject to the rule of first shearings]?*
- Y. *Also because they are not designated as his own. [Each partner owns a share in each animal. Neither owns a unit of his own.]*
- Z. *And our rabbis [say there is a difference between the partnership of a Jew with a Jew and of a Jew with a gentile]. A gentile is not subject to the obligation [to give of the first shearings to the priest]. A Jew is subject to the obligation. [As long as the animal is owned by Jews, it is subject to the obligation of first shearings.]*

I.4 A. *Said Raba, “R. Ilai agrees with regard to heave-offering [that produce held by a Jew in partnership with another Jew is liable to that rule]. Though it says [in the verse], ‘Your grain’ [implying] what is yours alone [is subject to the law and grain held by] partners is not [included in the rule]—*

- B. *“The Torah also states, ‘Your heave-offerings’ [using the plural form of the noun, implying even what belongs to more than one person is subject to the law, cf. Num. 18:27, Eze. 20:40 and 44:30.]”*
- C. *Why then [does scripture use the language], “Your grain?”*
- D. *It excludes [from the rule of heave-offering grain held] in partnership with a gentile.*

I.5 A. *[In the rules for] dough-offering, even though Scripture states, “The first [part of your dough you shall take as a gift]” (Num. 15:20), and you might say that we should derive an inference [from the common use of the words] “first” [with regard to dough offering and] “first” with regard to the first shearings [as follows:] Just as there [in the rules regarding the first shearings, the law is that produce] belonging to partners is not [liable], here too [with regard to the rules of dough-offering, produce] belonging to partners is not [liable] — [to rule out this inference] the Torah stated, “Your dough-offerings” [using the plural form of the noun and implying that dough made from flour belonging to partners is liable to the rules of dough-offering].*

- B. *But is the reason that scripture stated “Your dough-offerings” [to teach us that dough of partners is liable to the rules] but without this [specific inclusion by the verse] might we have reasoned that we derive the rules [that dough owned by partners is excluded from the obligation of dough-offering from a comparison with the rules for the first shearings] by virtue of the common usage of “first” [in the laws dough-offering and] “first” in connection with the first shearings?*
- C. *On the contrary. We should derive from [the common language in two other verses, from the use of the word “first” in the verse regarding dough-offering and the use of the same word in the verse regarding] heave-offering [and on that basis conclude that dough owned by partners is liable to the laws of dough-offering.]*
- D. *That is a proper conclusion.*
- E. *Why then do we need [in the verse concerning the dough-offering the language], “Your dough?”*

- F. *[It teaches us that the minimum amount of dough liable to dough-offering must be] equal to "Your dough" [i.e., the amount eaten in the wilderness by the children of Israel, the subject of the verse in its context in scripture].*
- I.6 A.** *[And in the case of the produce one must leave over in] the corners [of his field] though scripture states, "Your field" [Lev. 19: 9, implying what is] yours alone is [liable to these rules] and not [a field] held by partners, the Torah stated [additionally], "And when you [plural form] reap the harvest of your [plural form] land" [including by that land owned by partners]. Why then do we have [the language], "Your field?"*
- B. *It excludes [from liability to the law of the corners of a field land held by a Jew] in partnership with a gentile.*
- I.7 A.** *[And in the case of the obligation to give to the priest] the first born [of your animals] though scripture states, "Every firstling which is born in your herd or your flock" (Deu. 12: 6), [implying what is] yours alone is [liable to these rules] and not [a firstling] held by partners, the Torah stated [additionally], "And the firstling of your [plural] herds and of your [plural] flocks" [including by that animals owned by partners]. Why then do we have [the language], "In your herd or your flock?"*
- B. *It excludes [from liability to the law of the first born animals held by a Jew] in partnership with a gentile.*
- I.8 A.** *[And in the case of the obligation to affix to one's door posts a] mezuzah though scripture states, "Of your houses" (Deu. 6: 9), [implying what is] yours alone is [liable to these rules] and not [a house] held by partners, the Torah stated [additionally], "So that you [plural] may lengthen your [plural] days, and the days of your [plural] children" (Deu. 9:21), [including in the rule houses owned by more than one party]. Why then do we have [the language], "Of your houses?"*
- B. *It comes [to support] the rule of Rabbah. For Rabbah said, "[The word for your house, bytk, is similar to the word for your entries, by'tk. From this we deduce that you must affix the mezuzah on the right side of the doorpost as you enter. Because we know that] **[136A]** the way people enter is on the right side."*
- I.9 A.** *[And in the case of the obligation to separate from one's crops] tithes though scripture states, "Tithes of your grain" (Deu. 14:23), [implying what is] yours alone is [liable to these rules] and not [grain] held by partners,*
- B. *the Torah stated [additionally], "Of your [plural] tithes" (Deu. 12: 6), [including in the rule grain owned by partners.]*
- C. *Why then do we have [the language], "Tithes of your grain?"*
- D. *It comes to exclude [from liability to tithes produce] held in partnership with a gentile.*
- I.10 A.** *[And in the case of the obligation to give to the priests their] gifts [the shoulder, two cheeks and maw from an animal that one slaughters] the Torah stated, "And he shall give" (Deu. 18: 3). [And we may therefore derive that an animal held by partners is not liable to the gifts because] we may say that we can learn [an*

inference by virtue of the common usage of the language concerning] “giving” [“And he shall give” in the case of the priestly gifts and] “giving” [“Of the first shearings of your flock you shall give to him” (Deu. 18: 4)] in the case of first shearings [as spelled out in what follows].

- B. Just as there [animals held] in partnership are not [liable to the obligation to the gift of the first shearings], here too [animals held] in partnership are not [liable to the obligation of the gifts to the priest of the shoulder, two cheeks and maw].
- C. *The Torah stated [additionally], “From they [plural] who slaughter (Deu. 18: 3)” [implying that even an animal held by partners is liable to the laws of the gifts to the priest].*
- D. *But is this the reason the Torah stated, “From they who slaughter?”*
- E. *But lo, if not for this [language in the verse] would I have reasoned that one must derive [the law for the three gifts from a comparison to the laws for] the first shearings?*
- F. *On the contrary. I [just as easily] would have concluded that we learn [the law for the three gifts from a comparison to the laws for] heave-offering. [And in that case, as we saw above at I.6, A-B, items held in partnership are liable to the obligation.]*
- G. *That is a proper conclusion.*
- H. *Why then do we need [the language in the verse], “From they who slaughter?”*
- I. *To support the rule of Raba.*
- J. *For said Raba, “The claim [of the priests for gifts] must be brought against the butcher [who slaughters the animal though the animal belongs to someone else.”*

- I.11** A. *[And in the case of] first fruits even though scripture states “Of your land” (Deu. 26: 2), [implying what is] yours alone is [liable to these rules] and not [produce] held by partners,*
- B. *the Torah stated [additionally], “The first fruits of all that is in their land” (Num. 18:13), [implying that even fruit held by partners is liable to the laws of the first fruits].*
 - C. *Why then do we need [the language of the verse], “Of your land?”*
 - D. *To exclude [from liability to the rule of first fruits of produce grown] outside the Land of Israel.*

- I.12** A. *[And in the case of the obligation to tie] fringes [to the corners of one’s garment] though the Torah stated, “On your cloak” (Deu. 22:12), [implying what is] yours alone is [liable to the rule] and not [a garment] held by partners,*
- B. *the Torah stated [additionally], “On the fringes of their [plural] garments for their generations” (Num. 15:38), [implying that even a garment held by partners is liable to the law of fringes].*
 - C. *Why then do we need [the language of the verse], “On your cloak?”*
 - D. *To support the rule of R. Judah.*
 - E. *For said R. Judah, “A borrowed cloak is exempt from the obligation of fringes for the first thirty days [after one borrows it, cf. b. Hul. 110b, III.3 G].”*

- I.13** A. *[And in the case of the obligation to erect] a parapet [around one's roof] though the Torah stated, "For your roof" (Deu. 22: 8), [implying what is] yours alone is [liable to the rule] and not [a house] held by partners,*
 B. *the Torah stated [additionally], "If any person shall fall from it" [ibid., implying that any house from which one might fall is liable to the law, even one owned by partners].*
 C. *Why then do we need [the language of the verse], "For your roof?"*
 D. *That comes to exclude [from the obligation of a parapet public buildings such as] synagogues and study halls.*

- I.14** A. *Said R. Bibi bar Abbaye, "We do not accept these principles [of law enunciated by Raba, that Ilai admits in the cases enumerated that items held by a Jew in partnership with another Jew is liable to those various rules]."*
 B. *For it was taught on Tannaite authority [to the contrary]: An animal belonging to partners is liable to the rules of the first born. And R. Ilai exempts it [from those rules].*
 C. *What is the basis in scripture for R. Ilai's view? Scripture states, "Of your [singular] herd and of your [singular] flock" (Deu. 15:19). [This implies that an animal held by partners is exempt.]*
 D. *But lo, scripture states, "Of your [plural] herd and of your [plural] flock" (Deu. 12: 6). [This implies that an animal held by partners is liable.]*
 E. *[No, that shows the animal must belong to] any person in Israel [to the exclusion of an animal owned by a gentile].*
 F. *Said R. Hanina from Sura, "We do not accept these principles [of law enunciated by Raba, that Ilai admits in the cases enumerated that items held by a Jew in partnership with another Jew are liable to those various rules]."*
 G. *For it was taught on Tannaite authority: An animal belonging to partners is liable to the rules of the gifts [to the priest from the shoulder, two cheeks and maw]. And R. Ilai exempts it [from those rules].*
 H. *What is the basis [for Ilai's view]? [We may derive that an animal held by partners is not liable to the gifts because] we may say that we can learn [an inference by virtue of the common usage of the language concerning] "giving" ["And he shall give" in the case of the priestly gifts and] "giving" ["Of the first shearings of your flock you shall give to him" (Deu. 18: 4)] in the case of first shearings.*
 I. *Just as there [animals held] in partnership are not [liable to the obligation to the gift of the first shearings], here too [animals held] in partnership are not [liable to the obligation of the gifts to the priest of the shoulder, two cheeks and maw].*
 J. *[If indeed Ilai exempts an item from the obligation for priestly dues in that case] and if you want to argue that he declares [items held by partners nevertheless] liable in regard to heave-offering, let us then learn [an inference by virtue of the common usage of the language concerning] "giving" ["And he shall give" in the case of the heave-offering and] "giving" ["Of the first shearings of your flock you shall give to him (Deu. 18: 4)"] in the case of first shearings. [And from that let us*

conclude that animals held by partners are liable to the rules of first shearings.]

K. *[But we make no such inference.] Rather we may derive that with regard to [the liability to separate] heave-offering [from produce owned by partners, Ilai] exempts [such produce] also.*

L. *[Accordingly we may argue that in the view of Ilai, you can derive the rules for first shearings from the rules for heave-offering. If that is so then] just as [the rules of liability of one's crop to] heave-offering apply [to crops grown] in the Land of Israel but do not apply [to crops grown] outside the Land of Israel, so too [the rules of liability of one's animal to] gifts to the priest apply [to animals raised] in the Land of Israel but do not apply [to animals raised] outside the Land of Israel.*

M. *Said R. Yosé from Nehar-bil, "Yes [that is what Ilai says]."*

N. *For it was taught on Tannaite authority: R. Ilai says, "[The obligation to give from an animal] the gifts for the priest applies only [to animals] in the Land of Israel."*

O. *And so R. Ilai used to say, "[The obligation to give from an animal] the first shearings applies only [to animals] in the Land of Israel."*

I.15 A. *What is the basis for R. Ilai's [ruling that the obligation to give from an animal the first shearings applies only to animals in the Land of Israel]?*

B. *Said Raba, "He learns it [by inference by virtue of the common usage of the language concerning] 'giving' ['Of the first shearings of your flock you shall give to him' (Deu. 18: 4) in the case of first shearings and] 'giving' ['And he shall give'] in the case of the heave-offering.*

C. *"Just as [the rules of liability of one's crop to] heave-offering apply [to crops grown] in the Land of Israel but do not apply [to crops grown] outside the Land of Israel, so too [the rules of liability of one's animal to] first shearings apply [to animals raised] in the Land of Israel but do not apply [to animals raised] outside the Land of Israel."*

D. *Said to him Abbaye, "If so [then carry your logic further]. Just as if heave-offering [is not separated from one's produce] it renders it [prohibited for use as] a mixture, so too [you should conclude that] if the first shearings [are not given from one's fleece] it renders the fleece [prohibited for use as] a mixture [until he separates the first shearings from the rest of the fleece]."*

E. *He [Raba] said to him, "Scripture says, 'And from the first shearings of your sheep you shall give to him (Deu. 18: 4).' You [the priest] have no claim upon it [the fleece of one's flock] until after it is [designated to be] the first shearings. [Accordingly, before he separates the first shearings from the fleece, it cannot render the lot prohibited as tebel.]"*

F. *[If we derive rules for the obligation to give first shearings from the rules for the obligation to give heave-offering, we may argue] just as [one who is not a priest who eats] heave-offering is liable to the death penalty [if he ate it intentionally], and [if he ate it inadvertently he] must pay back the priest [the principal and] an additional fifth,*

- G. *so too [the law should be one who is not a priest who uses] the first shearings is liable to the death penalty [if he used it intentionally], and [if he used it inadvertently he] must pay back the priest [the principal and] an additional fifth.*
- H. *Scripture stated [concerning heave-offering], “And he shall die on account of it” (Lev. 22: 9) and “And he shall add to it” (Lev. 22:14).*
- I. *[From the words] “To it” [we may infer that the rule of the added fifth applies only to heave-offering] and not to first shearings. [From] “Of it” [we may infer that the death penalty for intentional use applies only to heave-offering] and not to first shearings.*
- J. *[If we derive rules for the obligation to give first shearings from the rules for the obligation to give heave-offering, we may argue] just as in the case of heave-offering [it is the first gift to be given from the produce] followed by first and second [tithes separated afterward. We might infer that the same should be the case] even with regard to the first shearings [and that they are the first gift to be given from the fleece] followed by first and second [offerings separated afterward from the fleece].*
- K. *Scripture states, “The first” [implying that] from it you must separate only that one gift.*
- L. *[If we derive rules for the obligation to give first shearings from the rules for the obligation to give heave-offering, we may argue] just as in the case of heave-offering you may not separate [produce] from the new crop [as heave-offering] for the old crop [and we might infer that the same should be the case] even with regard to the first shearings [that one may not separate from old fleece, cut previously, for new fleece, cut later].*
- M. ***Yes [that is the law]. For it was taught: If he had two lambs and he sheared them and put [the fleece] aside [one year], and he sheared them and put [the fleece] aside [the next year], and he did this for two or three years, [until he had the equivalent of fleece from at least five lambs] the wool does not combine [to constitute the minimum necessary according to the House of Hillel (M. 11: 1) for the fleece to become obligated to the rules of the first shearings] [an alternate version of T. 10:6].***
- N. *[This implies] if he had five [lambs in one flock and sheared two of them and put away the wool, and the next year he sheared another two and put away the wool, and the next year sheared the fifth, the wool sheared in three consecutive years, even from five different animals] combines [and he has the minimum necessary for the fleece to be obligated to the rules of first shearings. This means that old fleece from a previous year can combine with fleece from a subsequent year].*
- O. *But lo it was taught on Tannaite authority [elsewhere that in such a case], “The [fleece from five lambs sheared in different years] does not combine [to constitute the minimum for the obligation to first shearings].”*
- P. *However we may deduce from this that [the source that says fleece from different years does not combine] is in accord with the view of R. Ilai.*

[And the source that says fleece from different years does combine] is in accord with the view of the rabbis.

- Q. [If we derive rules for the obligation to give first shearings from the rules for the obligation to give heave-offering, we may argue] just as for heave-offering [produce] that grows in [a circumstance where the] liability [to separate heave-offering] applies [namely in the field of a Jew in the Land of Israel] is liable [to the rules of heave-offering],
- R. And [produce] that grows in [a circumstance] exempt [from the obligation to separate heave-offering] is exempt [from the rules of heave-offering].
- S. [We may argue that] even with regard to the obligation to separate the first shearings, [fleece] that grows [in circumstances where the] liability [to separate first shearings] applies, is liable [for the obligation].
- T. And [fleece] that grows [under circumstances] exempt [from the obligation to separate first shearings] is exempt [from the obligation].
- U. *And whence [do we know that this is the case] with regard to [the obligation to separate] heave-offering?*
- V. *For it was taught on Tannaite authority:* [With regard to a case in which] an Israelite bought a field in Syria from a gentile,
- W. [if he bought it] before the produce had grown to one third of its mature height, [the produce] is liable [to heave-offerings and tithes].
- X. And if [he bought it] after the produce had grown to one third of its mature height, R. Aqiba declares the additional growth [after the Israelite buys it] liable [to heave-offerings and tithes]. And the sages declare [even the additional growth] exempt.
- Y. *And if you say this rule [of the liability of fleece to the law of first shearings] is the same [as the rule regarding liability of crops to heave-offerings], lo it was taught on Tannaite authority [in our Mishnah 11:1 V], **One who buys shearings of wool from a gentile is exempt from the obligation to give from it a gift of the first shearings [to the priest], lo if he bought [the rights] to shear his flock, he is liable [to give first shearings from the fleece]. [And this is the case though the fleece grew while gentiles owned the sheep.]***
- Z. *[The rule in the Mishnah is no proof because] the Mishnah does not accord [136B] with the view of R. Ilai.*
- AA. [If we derive rules for the obligation to give first shearings from the rules for the obligation to give heave-offering, we may argue] just for heave-offering one may not separate [heave-offering from] one kind [of produce] on behalf of another kind [of produce],
- BB. [we may argue that] even with regard to [the rules for separating] first shearings [from one's fleece] that one may not separate [first shearings from] one kind [of fleece] on behalf of another kind [of fleece].
- CC. And whence do we learn that with regard to heave-offering [that one may not separate heave-offering from one kind of produce on behalf of another kind of produce]?

- DD. *For it was taught on Tannaite authority: If he had two kinds of figs — black ones and white ones; and likewise if he had two kinds of wheat,*
- EE. *he may not [T. omits “not” to accord with the Hillelite view] separate heave-offering or tithes from one kind for the other.*
- FF. *Concerning this [ruling] R. Isaac said in the name of R. Ilai [T. has ‘Eliezer’ or ‘Eleazar’], “The House of Shammai say, ‘They may not separate [from one kind for the other].’ And the House of Hillel say, ‘They may separate [from one kind for the other]’ [T. **Ter. 2:5**].”*
- GG. *So too [concerning the separation of] first shearings, one should not be permitted to separate from one kind for another.*
- HH. *Yes [that is the law].*
- II. *But lo, it was taught on Tannaite authority in the Mishnah [11:1]: If [the seller] had two kinds [of wool], gray and white [the rule is as follows]: If he sold him the gray wool, but not the white wool,... [the buyer] gives of his own [a gift of wool to the priest] and the seller gives of his own. [Only in this case do they give separately for each kind. This might imply that if he did buy the two kinds, he could give from one on behalf of the other.]*
- JJ. *[But this is not a correct deduction.] For consider the latter part [of the Mishnah-text] that taught: [If he had separate lots of wool from males and from females and he sold him the wool from] the males, but not from the females,*
- KK. *this one [the buyer] gives of his own [a gift of wool to the priest] and this one [the seller] gives of his own.*
- LL. *Now is this also [the rule] because they [male and female] are two different kinds of sheep? [That makes no sense.]*
- MM. *Rather, [M. gives this not as a rule, but] just to give us some good advice. He should give [a portion as first shearings] from the soft wool [of the female sheep] and from the coarse wool [of the male sheep].*
- NN. *There also [for the grey and white wool, M. states the practice] just to give us some good advice, that he should give some [wool as first shearings] from both kinds.*
- OO. *[The reason then is not in accord with Ilai’s view that one cannot give from one kind on behalf of another.] Lo we concluded already [above] that the Mishnah does not follow the view of R. Ilai.*
- PP. *[If we derive rules for the obligation to give first shearings from the rules for the obligation to give heave-offering, we may argue] just as for heave-offering we must give [an offering from] the first [produce on the condition that some] recognizable [amount of the produce] is left over [unconsecrated, and the entire produce may not be designated for heave-offering],*
- QQ. *[we may argue that] even with regard to [the rules for separating] first shearings [from one’s fleece] that one must give [an offering from] the first [produce on the condition that some] recognizable [amount of the*

produce] is left over [unconsecrated, and the entire produce may not be designated for first shearings].

RR. *Yes [that is the case].*

SS. *But lo it has been taught on Tannaite authority in the Mishnah, **One who says, “May my entire granary be consecrated as heave-offering,” or, “May my entire dough be consecrated as dough-offering,” he has not said anything of consequence [M. Hal. 1:9].***

TT. *Lo [this implies] if he said, “May all my fleece be consecrated as first shearings,” his statement is effective [and all the fleece does indeed take on the status of first shearings].*

UU. *And it was taught [by inference from the comparison with the rules of heave-offering that in such circumstances,] “He has not said anything of consequence.” [None of the produce takes on the status of first shearings.]*

VV. *Rather must we not deduce from this that the [previous inference that such a statement does nothing] accords with the view of R. Ilai. And that the [latter inference that the statement is effective] accords with the view of our rabbis.*

WW. *This is indeed the proper inference.*

I.16 A. *Said R. Nahman bar Isaac, “Nowadays the common custom accords with [views of] these three elders.*

B. *“With [the view of] R. Ilai regarding the first shearings. As it was taught: R. Ilai says, ‘[The obligation to give from an animal] the first shearings applies only [to animals] in the Land of Israel [above, I.17 J].’*

C. *“With [the view of] R. Judah b. Beterah regarding words of Torah. As it was taught on Tannaite authority: R. Judah b. Beterah says, ‘Words of Torah are not susceptible to uncleanness. [That is, one who is unclean due to a seminal emission may recite words of Torah.]’*

D. *“And with [the view of] R. Oshaia regarding the laws of mixed kinds. As it was taught on Tannaite authority: R. Oshaia says, ‘In no way is a person liable [for violating the prohibition against sowing mixed kinds] until he sows wheat and barley and grape kernels [together] with one cast of the hand.’”*

II.1 A. *A stricter rule applies to [the obligation to give to the priest] the shoulder, the two cheeks and the maw [of one’s animals] than to [the obligation to give to the priest] the first shearings [of wool from the sheep of one’s flock] [M. 11:1D].*

B. *And why not teach that a stricter rule applies to [the obligation to give to the priest] the first shearings, since that applies to terefah-animals, which is not the case with regard to [the obligation to give to the priest the other] gifts. [The law for them does not apply to terefah-animals.]*

C. *Said Rabina, “With whose view does this Mishnah accord? With the view of R. Simeon.”*

- D. *For it was taught on Tannaite authority: R. Simeon exempts terefah-animals from [the obligation of] the first shearings.*
- E. *What is the basis [in scripture for this rule of] R. Simeon? He learns [by inference by virtue of the common usage of the language concerning] “giving” [“Of the first shearings of your flock you shall give to him (Deu. 18: 4)” for first shearings and] “giving” [“And he shall give”] in the case of gifts to the priest.*
- F. Just as in the case of gifts to the priest, a terefah-animal is not [included in the obligation], so too in the case of first shearings, a terefah-animal is not [included in the obligation].
- G. *And if you learn [by inference by virtue of the common usage of the language concerning] “giving” [“Of the first shearings of your flock you shall give to him” (Deu. 18: 4) in the case of first shearings and] “giving” [“And he shall give”] in the case of the gifts to the priest,*
- H. *you may learn also [by inference by virtue of the common usage of the language concerning] “giving” [“Of the first shearings of your flock you shall give to him” (Deu. 18: 4) for first shearings and] “giving” [“And he shall give”] for the heave-offering.*
- I. Just as [the laws of] heave-offering apply in the Land of Israel and not outside the Land of Israel,
- J. so too should [the laws of] the first shearings apply in the Land of Israel and not outside the Land of Israel.
- K. *However it has been taught on Tannaite authority in the Mishnah [to the contrary]: **The [laws of the] first shearings apply both inside the Land of Israel and outside the Land of Israel [M. 11:1A].*** [This means of inference cannot serve as the basis for the view of R. Simeon].
- L. *But what then is the basis for [the view of] R. Simeon?*
- M. *He learns [by inference by virtue of the common usage of the language concerning] “flock” [“Of the first shearings of your flock you shall give to him” (Deu. 18: 4) in the case of first shearings and] “flock” in the case of tithes [“And all the tithes of your herd and your flock” (Lev. 27:32)].*
- N. Just as in the case of tithes, one may not give a terefah-animal, so too in the case of first shearings one may not give shearings from a terefah-animal.
 - O. *And there [for tithes] what is the basis [for us to conclude that a terefah-animal may not be given]?*
 - P. *For scripture states, “All those [animals] that pass beneath the rod (ibid.);” this excludes a terefah-animal that cannot pass [beneath the rod because it is ill].*
 - Q. *And why not learn [by inference by virtue of the common usage of the language concerning] “flock” [“Of the first shearings of your flock you shall give to him” (Deu. 18: 4) in the case of first shearings and] “flock” in the case of firstling [that must be given to the priest]? [The verse there*

says, "Every firstling which shall be born in your herd or in your flock" (Deu. 15:19).]

- R. Just as in the case of the firstling, even a terefah-animal [must be given to the priest], so too in the case of the first shearings one must give [shearings from] even a terefah-animal to the priest.
- S. *It makes better sense to learn the inference [for the rule of first shearings from the rule for] tithes.*
- T. *[For the rules of first shearings and tithes differ in seven ways from the rules for firstlings. With regard to the firstling:]* (1) Males [alone are liable]; (2) Unclean animals [are liable, i.e. the firstling of an ass]; (3) Many [animals are not needed for the obligation to apply. One firstling is liable]; (4) [The firstling is sacred as soon as it emerges] from the womb; (5) A human [first born also acquires sanctity]; (6) [The laws of tithes and first shearings apply not to consecrated animals, but only to] ordinary ones; (7) [The laws of the firstling were given to the Jews while they were in Egypt] before the revelation [at Sinai, cf. Exo. 13:2].
- U. *On the contrary. Should we not learn the inference [for the rule of first shearings from the rule for] the firstling?*
- V. For [the rules of first shearings are similar to the laws for the firstling in eight ways, but not to the rules of tithes. With regard to tithes:] (1) An orphan [animal, whose mother died when it was born is not liable to the rules of tithes]; (2) [An animal that was] purchased [is not liable to tithes]; (3) [An animal that was] owned by partners [is not liable to tithes]; (4) [An animal that was] given [to someone as a gift is not liable to tithes]; (5) [The laws of tithes apply only] in the presence [of the Temple, i.e. while it stands in Jerusalem]; (6) The priest [receives the first born and the first shearings but not the animal tithes]; **[137A]** (7) [Animals designated as tithes must be] consecrated [by designation at the time they are separated. First born animals attain sanctity without special designation and first shearings have no inherent sanctity]; (8) [Firstlings and first shearings may be] sold [by the priest. Animal tithes may not be sold].
- W. *Accordingly, the rules [of first shearings] have more points in common [with the rules for the firstling than with the rules for animal tithes. Let us then make a complete analogy between those two sets of rules.]*
- X. *[No. It is better to] learn an inference regarding [the rules of] an ordinary [i.e., unconsecrated offering such as first shearings] from [another] ordinary [unconsecrated offering, such as animal tithes].*

III.1 A. But the [law regarding the] first shearings [of wool from the sheep of one's flock] applies only to sheep [M. 11:1 G].

- B. *What is the basis in scripture for this matter?*
- C. *Said R. Hisda, "We derive [an inference by virtue of the common usage of the language concerning] 'shearings' [in the case of first shearings] and 'shearings' [in a verse in Job]."*
- D. *Here it says, "Of the first shearings of your flock you shall give to him" (Deu. 18: 4).*
- E. *And there it says, "And with the shearings of my sheep I was not warmed" (Job. 31:20).*
- F. *Just as the latter verse refers to sheep, so too the former verse refers to sheep.*
- G. *And why not derive [an inference by virtue of the common usage of the language concerning] 'shearings' [in the case of first shearings] and 'shearings' [in regard to the law of the first born]?*
- H. *For it was taught on Tannaite authority: "You shall do no work with the first born of your oxen and you shall not shear the first born of your flock" (Deu. 15:19). From this verse we may derive only [the prohibition against] working with [first born] oxen and [against] shearing [first born] sheep.*
- I. *Whence may we apply [the prohibition] stipulated for the former [i.e., against working] for the latter [i.e., for sheep] and [the prohibition] stipulated for the latter [i.e., against shearing the hair] for the former [i.e., for oxen]?*
- J. *The verse comes to teach, "You shall do no work," and "You shall not shear." [The general language of the prohibition precedes the specific application to the cases in the verse.]*
- K. *Scripture states, "[Of the first shearings of your flock] you shall give to him" (Deu. 18: 4). [You must give it to him to make into clothing fit to wear] and not to use for making into his sack. [This excludes from the obligation of first shearings the hair of oxen that is not fit for wearing but can only be used for making a sack.]*
- L. *But on this basis we should infer that the hair of goats be liable [to the rule of the first shearings because from it one can make clothing to wear].*
- M. *[No, it is not liable.] It is necessary to "shear" the animal and [for hair] they do not do it. [In this case they remove in another way the hair from the goat].*
- N. *Who derives this conclusion [that we infer from the wording of the verse that the animal must be sheared for the wool or hair to be liable]? R. Yosé.*
- O. *But lo does not R. Yosé admit that [any wool or hair is liable to first shearings as long as it is removed] in its normal fashion? [Accordingly, goats' hair removed by means other than shearing also should be liable.]*
- P. *Rather [this conclusion must accord with] that which R. Joshua b. Levi said, "[Because the Lord your God chose him (Levi) from among all of your tribes] to stand and serve [in the name of the Lord]" (Deu. 18: 5). This implies that [to be included in the obligation of first shearings an item must be] fit for service. So too, anything that is fit for service [is liable to the law of first shearings].*

- Q. *What then is the implication of [the common usage of the language concerning] ‘shearings’ [in the case of first shearings] and ‘shearings’ [in the verse in the book of Job]?*
- R. *[It supports] what the House of R. Ishmael taught. For the House of R. Ishmael taught, “Sheep whose wool is stiff are exempt from the obligation of the first shearing. As it says, ‘And with the shearings of my sheep I was not warmed’ (Job. 31:20).” [One uses only soft wool for clothing to warm himself.]*

- III.2** A. *It was taught in one [source]: One who shears [off the hair of] goats or one who washes [the wool of] sheep [and plucks it off] is exempt [in both cases from separating first shearings because this is not the usual practice].*
- B. *And it was taught in another [source]: One who shears [off the hair of] goats is exempt [from separating first shearings]. And one who washes [the wool of] sheep [and plucks it off] is liable [to separate first shearings].*
- C. *It is no contradiction. One [source] accords with the view of the rabbis and the other [source] accords with the view of R. Yosé.*
- D. *For it was taught: [The verse says,] “**The gleaning of your harvest**” (Lev. 19: 9), **not the gleaning of your plucking.***
- E. **R. Yosé says, “Gleaning is an activity that follows only the harvest [i.e., cutting of one’s crops and not the plucking of one’s crops]” [T. [Peah 2:14](#)].**
- F. *Is not [the view of] R. Yosé in accord with that of the first Tannaite authority [of the Tosefta passage]?*
- G. *The whole [passage accords with the view of] R. Yosé. And this is how it should have been taught: **In accord with what R. Yosé says, “Gleaning is an activity that follows only the harvest [i.e. cutting of one’s crops and not the plucking of one’s crops].”***

III.3 A. *Said R. Aha the son of Raba to R. Ashi, “R. Yosé concedes [that produce not cut in the harvest is liable to the laws of gleanings wherever the produce is gathered in any way] in accord with the normal practice [for that produce].”*

- B. *For it was taught on Tannaite authority: R. Yosé says, “[The term in the verse is], ‘Harvest.’ From this I can deduce that what is harvested [i.e. cut, is liable to the rules of gleanings]. What is the basis in scripture [to teach us that produce that was] uprooted [is liable to the rules of gleanings]? The verse teaches, ‘To harvest.’ What is the basis in scripture [to teach us that produce that was] plucked [is liable to the rules of gleanings]? The verse teaches, ‘In your harvest’ (Lev. 23:22).”*

- C. *Said Rabina to R. Ashi, “We have taught a similar rule: [Yosé rules that we follow common practice as a guide to liability of produce to agricultural rules in another case.] **[Concerning the liability to leave the corners of a field for the poor in the case of] rows of onions [growing] between [rows of] green vegetables: R. Yosé says, ‘One must leave over the corner of each row [of onions].’ And***

sages say, ‘[One may leave over] one [set of corners] for the whole [field]’ [M. **Peah 3:4**]. [In general vegetables are not subject to the law of Peah because they are perishable. According to Yosé onions are liable to the law of Peah because normal practice is to store them for long periods of time, as for instance for grain.]”

IV.1 A. And how many constitute “a large number?” [M. **11:1I**]. *The view of the House of Shammai [in the Mishnah] makes sense. Two sheep also may be called a “flock.” [“A man shall rear a young cow and two sheep.” The term for flock is used in the verse referring to two animals, and this may apply to any situation, cf. Isa. 7:21].*

- B. *But what is the basis in scripture for the opinion of the House of Hillel [that the minimum for liability to first shearings is five sheep]?*
- C. *Said R. Kahana, “Scripture stated, ‘Five sheep prepared’ (1Sa. 25:18). [‘Prepared’ (the plural form) implies that] they perform with them [at least] two commandments: [the separation of] first shearings, and of the gifts [to the priest of the shoulder, two cheeks and maw].”*
- D. *Why not maintain [the language of the verse implies that with those sheep they must fulfill two other commandments]: the [obligation to give to the priest the] firstling, and the gifts [of the shoulder, two cheeks and maw].*
- E. *But [this is not a valid objection because] is not a single animal also liable [to the laws of the firstling]?*
- F. *But following this line of argument, [one can ask] is not a single animal also liable to [the laws of] the gifts [of the shoulder, two cheeks and maw]?*
- G. *But said R. Ashi, “[The term] ‘Prepared’ [implies something else]: They [these five sheep] provide their owner [with a means of fulfilling another obligation, viz. to give of the first shearings to the priest]. And [the presence of this minimum number of sheep] asserts upon him a claim to rise and perform a commandment.”*

IV.2 A. *It was taught on Tannaite authority: [A member of] the House of R. Ishmael the son of R. Yosé says in the name of his father, “[The minimum number of sheep subject to the rule of first shearings is] four.”*

- B. *As it says [in scripture], “And four of the flock in place of the lamb” (Exo. 21:37). [The verse specifies the number four in connection with the term, “flock.”]*
- C. *It was taught on Tannaite authority: Said Rabbi, “Even if their words [i.e., of the Houses of Shammai and Hillel in the Mishnah] were based on the Torah, and the words of the House of Rabbi [Ishmael the son of R. Yosé] were based on tradition [alone, that is from verses in the prophets], we would accept the words of the House of Rabbi [Ishmael the son of R. Yosé]. And all the more so [should we accept the view of the House of R. Ishmael the son of R. Yosé] because their words [i.e., the views of the Houses] are based on tradition [i.e., verses in the prophets] and the words of the House of Rabbi [Ishmael the son of R. Yosé] are based on the Torah.”*
- D. *But lo, a master has said, “A third [independent view presented as a compromise] decision is not a binding decision [at all because it takes neither side of the dispute into consideration].”*

- E. **[137B]** Said R. Yohanan, “[R. Yosé] based his view on a revelation transmitted [through the generations to him] from [the time of the last prophets] Haggai, Zechariah and Malachi.” [His view is authoritative.]

V.1 A. R. Dosa b. Hyrcanus says, “Five sheep from which one produces [the value of] a *maneh* and a half each of wool — these [shearings] are subject to [the rules of] the first shearings.” And sages say, “Five sheep from which one shears any amount [these shearings are subject to the rules of the first shearings]” [M. 11:1 L-M]:

- B. And how much is “any amount?”
- C. Said Rab, “A *maneh* and a half [of wool in all] as long as [each animal] yields a fifth [of the total].” [This equals thirty-seven and a half sela.]
- D. And Samuel said, “[The sheep must produce at least] sixty [sela of wool]. And he must give one sela to the priest.”
- E. [Said] Rabbah bar bar Hannah, said R. Yohanan, “[Even] six [sela is liable to the laws of first shearings]. And [from that] he must give five sela to the priest, and one he may keep for himself.”
- F. [Said] Ulla, said R. Eleazar, “**Any amount** is what was taught [in the Mishnah, and that should be taken literally].”

V.2 A. *We have learned in the Mishnah: And how much must one give to him [i.e., to the priest from the first shearings of the flock]? [An amount equivalent to] the value of five sela in Judea. And this is equivalent to [the value of] ten sela in the Galilee [M. 11:1 N-P]. This [rule of the Mishnah] is consistent with the view of Rab and R. Yohanan [in the previous discussion, since they accept that he must give five sela to the priest]. The matter is settled. But this contradicts the views of Samuel and R. Eleazar [who both say above that one may give less than five to the priest].*

- B. *And is it indeed settled according to the view of Rab? Lo, Rab and Samuel both said, “[The minimum measure to be given to the priest as] first shearings is one sixtieth.” [This means that from 37.5 sela he gives .625 sela, clearly less than stipulated in the Mishnah.]*
- C. *Lo it was stated that this statement which Rab and Samuel both said [qualifies the rule of our Mishnah explaining] that it pertains to the situation of an Israelite who had a large amount of shearings and he wished to give from them to [more than one] priest. Concerning such a situation [the Mishnah] says that to each [priest] one should give no less than five sela [of first shearings. [But the absolute minimum one may give to one priest from a smaller amount of shearings is one sixtieth of the lot, which in fact may be less than five sela.]*

V.3 A. Reverting to the body of the principal text [cited above]: Rab and Samuel both said, “[The minimum measure to be given to the priest as] first shearings is one sixtieth. [The minimum measure to be given to the priest as] heave-offering is one sixtieth. [The minimum measure to be left in one’s field as] Peah is one sixtieth.”

- B. *Is [the minimum measure to be given to the priest as] heave-offering one sixtieth? Lo it was taught on Tannaite authority in the Mishnah, [The measure for] heave-offering for one who is generous is one fortieth [M. Ter. 4:3].*
- C. *[This is not a contradiction.] The rule derived from the authority of the Torah requires only one sixtieth. The rule enacted by the authority of the rabbis requires one fortieth [for one who is generous with his heave-offering].*
- D. *[Is this true that] the rule derived from the authority of the Torah requires one sixtieth? But lo Samuel said, “By [separating for heave-offering] one grain of wheat, he exempts the whole basket [from the obligation to separate from it heave-offering].”*
- E. *[This too is no contradiction.] The rule derived from the authority of the Torah is as Samuel stated it.*
- F. *The [more stringent] rule enacted by the rabbis for [produce] liable to heave-offering according to the Torah is [that one must separate] one fortieth [for heave-offering].*
- G. *And [the additional] rule enacted by the rabbis for [produce] liable to heave-offering according to the authority of the rabbis [but not according to the authority of the Torah] is [that one must separate] one sixtieth [for heave-offering].*

V.4 A. *Is the [minimum to be left over in one’s field for] Peah one sixtieth? Lo was it not taught on Tannaite authority in the Mishnah: **These are the matters for which there is no set measure: Peah, first fruits, and the appearance-offering [brought on the festivals]** [M. Peah 1:1].*

- B. *According to the authority of the Torah there is no minimum quantity [to leave over for fulfilling the obligation of Peah]. According to the authority of the rabbis, the minimum to leave over [without harvesting] is one sixtieth [of the field].*
- C. *What novel point then do [Rab and Samuel] teach us?*
- D. *As it was taught in the Mishnah on Tannaite authority: **And they may designate for Peah no less than one sixtieth [of a field’s produce]** [M. Peah 1:2 A].*
- E. *But even so they said that for Peah there is no set measure. [This seems a contradiction.]*
- F. *That [rule in D states the law] for [a field] in the Land of Israel. This [rule in E states the law] for [a field] outside the Land of Israel.*

V.5 A. *When Issi bar Hini left [to go to the Land of Israel], R. Yohanan found him teaching his son [our Mishnah at L, with a variation in the plural suffix of the word sheep]: “Five sheep [masculine plural suffix, rhylym].”*

- B. *He [Yohanan] said to him, "It was taught [in the Mishnah differently, namely using the plural feminine suffix]: 'Sheep [rhylwt].'"*
- C. *He [Issi] said to him, "That is the way it is written in scripture, 'Two hundred sheep [rhylm] (Gen. 32:15).'"*
- D. *He [Yohanan] said to him, "The Torah has its own language and the sages have their own language. [You should not confuse the two.]"*
- E. *He [Yohanan] said to him, "Who is now the head administrator [of the academies] in Babylonia?"*
- F. *He [Issi] said to him, "Abba Arikha [i.e., Rab]."*
- G. *He [Yohanan] said to him, "You call him Abba Arikha [and not Rab]! [This is not respectful enough.] I remember when I was sitting [in the study hall] seventeen rows behind Rab in the presence of Rabbi [who was reciting the lesson]. And fireworks [i.e., heated discourse] shot forth from the mouth of Rab to the mouth of Rabbi, and from the mouth of Rabbi to the mouth of Rab. And I did not understand what they were saying [because it was so advanced]. And yet you call him Abba Arikha! [You should show more respect.]"*
- H. *He [Issi] said to him, "What is the minimum quantity [of fleece] for [liability to] first shearings?"*
- I. *Said to him R. Yohanan, "Sixty [sela]."*
- J. *He [Issi] said to him, "But lo it was taught that the minimum measure is any amount."*
- K. *He said to him, "If that is so then what is the difference between me and you?" [I interpret that the rabbis intentionally exaggerated and presented this low requirement to dispute Dosa's high measure. Sixty is a defensible figure because from that the priest would receive at least one sela, a respectable amount.]*

V.6 A. *When R. Dimi came [from the Land of Israel] he said, "Concerning the first shearings, Rab said [the minimum for liability is] sixty, and R. Yohanan in the name of R. Yannai said six."*

- B. *Said Abbaye to R. Dimi, "We can accept one [of your teachings], but we have difficulty accepting the other. We can reconcile [the difference between one version of the teaching of] R. Yohanan ['Sixty'] and [the contrary version of the teaching of] R. Yohanan ['Six,' that you just presented]. One represents his view and the other [that you cited] represents his master's view. But [the contradiction between one teaching of] Rab and [another teaching of] Rab is difficult to reconcile."*
- C. *For lo Rab said, "A maneh and a half [in quantity is liable to first shearings, i.e. 37.5 sela, and one sixtieth of that would yield less than a sela for the priest]."*
- D. *There also is no difficulty reconciling one view attributed to Rab with the other view attributed to Rab.*
- E. *What is the quantity of the maneh-measure specified? One of forty sela. [So that a maneh and a half] would be **[138A]** sixty sela.*
- F. *And is there a Tannaite authority who taught that a maneh is forty sela?*

- G. *Yes. For lo it was taught on Tannaite authority: A new waterskin [not yet fully sealed], even though it can hold pomegranates, it is clean. [It is only susceptible to uncleanness when it holds water.] If he sewed it completely and it tore, the measure [of the opening needed to render it no longer susceptible to uncleanness] is the size a pomegranate will fit through. R. Eliezer b. Jacob says, “[An opening to disqualify it must be the size of] a warp clue, one fourth of a *maneh* of forty *sela* [T. Kel. B.M. 6:5 C-D, cf. M. Kel. 17:2].” [This shows that a Tannaite authority knew of such a measure.]*

VI.1 A. And how much must one give to him [i.e., to the priest from the first shearings of the flock] [M. 11:1 N]?

- B. *It was taught on Tannaite authority: It is not necessary that he bleach the wool and give it to him. But [he should give him a sufficient amount so that] when the priest will bleach it he will end up with [a quantity of bleached wool worth] five *sela*.*

VII.1 A. [And he must give] enough to make a small garment [from the wool] [M. 1:1 R]. What is the basis in scripture for this matter?

- B. *Said R. Joshua b. Levi, “Scripture said, ‘[Because the Lord your God chose him (Levi) from among all of your tribes] to stand and serve [in the name of the Lord, him and his sons forever]’ (Deu. 18: 5). This implies that [to be included in the obligation of first shearings an item must be] fit for service. What is [an example of a small garment]? A belt.”*
- C. *Why not maintain it is the size of a robe?*
- D. *[As the saying goes:] If you try to grasp a large amount, you may not be able to hold anything. If you try to grasp a small amount, you will be able to hold it.*
- E. *Why not maintain it is the size of a woolen cap? For it was taught on Tannaite authority: A woolen cap rested on the head of the High Priest and on it the golden plate was placed. This fulfills what was written, “And you shall fasten it on the turban by a lace of blue” (Exo. 28:37).*
- F. *[Perhaps a belt should be rejected on a technicality.] Scripture said, “Him and his sons (Deu. 18: 5).” [This implies you must give enough wool to make] something that is of equal value to Aaron and his sons.*
- G. *Is the belt not something of value [to the ordinary priest as well]?*
- H. *This makes perfect sense [to reject this claim] according to the view that the belt of the High Priest is [var.: not] the same [composition] as the belt of the ordinary priest.*
- I. *But according to the view that it is [var. omit:] not identical to that of the ordinary priest, what can you say [to defend the view that the belt is of equal value to all priests]?*
- J. *People will call it a belt [no matter what it is made of. So you cannot reject it on mere technical grounds.]*

VIII.1 A. If he did not have a chance to give to [the priest a share from the first shearings] before they dyed [the wool], he is free of his obligation [to give the shearings to the priest after dying it] [M. 1:11 T].

- B. *It was stated: If one sheared and sold the first sheep [immediately after shearing it, R. Hisda said, “He is obligated [to give first shearings even though at the time he completes shearing five sheep, he no longer owns the first one].”*
- C. *R. Nathan bar Hoshaia said, “He is exempt.”*
- D. *R. Hisda said, “He is obligated” — for lo he sheared five sheep.*
- E. *R. Nathan bar Hoshaia said, “He is exempt. At the time that one reaches the minimum [of the shearing of five sheep] he must fulfill the requirement of the verse that they be ‘your sheep.’ And this instance he does not.”*
- F. *It was taught in the Mishnah on Tannaite authority: **One who buys shearings of wool from a gentile is exempt from the obligation to give from it a gift of the first shearings [to the priest] [M. 1:11 V].** Lo, if he bought his sheep in order to shear them [and then to return them to him, it appears in such an instance] he would be liable to the obligation. [This contradicts the view of R. Nathan.]*
- G. *But why is this so? After shearing each one it reverts from his possession [back to the gentile owner. So when he reaches the minimum he does not own five sheep.]*
- H. *We may explain [this follows] the view of R. Hisda [even] in accord with the opinion of R. Nathan bar Hoshaia. [He is liable because] this is an instance in which he [the gentile] sold them to him for thirty days [so that he might shear them. At the time he reaches the minimum he still owns five sheep and is liable to the rules of first shearings].*

IX.1 A. One who buys shearings of wool from his fellow [is subject to the following rules]: If [the buyer did not buy the entire lot of the wool but] left over [some of the wool of the lot in the possession of the seller], the seller is liable [to give from that a gift of wool to the priest]. [But if the buyer] did not leave over [any wool in the possession of the seller, but purchased the entire lot], the buyer is liable [to give the priest a gift from the wool] [M. 1:11 W-Y].

- B. *Who is the Tannaite authority who holds that [in Mishnah’s case] where there is [wool] left over with the seller we must go after the seller [to give a gift of wool to the priest]?*
- C. *Said R. Hisda, “It is R. Judah.”*
- D. *For it was taught on Tannaite authority in the Mishnah: **He who sells trees in his field [but not the earth in which they are planted] —***
- E. *[the buyer] designates **peah** from each and every [tree, for the trees are not deemed an orchard, since the buyer does not own the land].*
- F. *Said R. Judah, “Under what circumstances [does this apply]?”*
- G. *“[It applies] when the owner of the field does not retain [any of the trees for himself].*
- H. *“But if the owner of the field had retained [some of the trees for himself],*
- I. *“[the owner] designates **peah** for all [of the trees, those he sells and those he retains]” [M. **Peah 3:5 I-N**].*

- J. *Said Raba to him, “But lo it is the master [himself] who said, ‘If the owner of the field started to cut [the fruits before selling the trees, only then is he liable to leave the gift to the poor in the corner of the field].’ And if you maintain [by way of argument to compare that case to our Mishnah] here also [the obligation falls on the seller] if he started to shear [the sheep before selling any of them, that is not a valid argument]. For it is consistent there [in the case of peah], “And when you reap the harvest of your land” (Lev. 19: 9), is written. At the time you start to reap you become liable to [set aside the corner] for the entire field. But here [in the case of first shearings] at the time you start to shear you do not become liable [to give first shearings] for the entire flock. [That comes about later.]”*
- K. *But said Raba, “[Our Mishnah follows the view of] this Tannaite authority.” For it was taught in the Mishnah on Tannaite authority: **If one said to another, ‘Sell me the intestines of this cow [=the maw],’ and among them there were some [pieces] that were designated gifts [to the priest], he [the buyer] must give them to the priest and may not deduct from the purchase price [on that account]. If one bought [meat] from another by weight [and some of the pieces already were designated gifts for the priest], he [the buyer] must give those to the priest and he may deduct from the purchase price [on that account] [M. 10:3H-I].”***
- L. **[138b]** *It seems logical to conclude [from that ruling] that [on principle] a person may not sell the articles he intends to give as gifts to the priest.*
- M. *Here also [we may suppose] that a person may not sell the articles he intends to give as gifts to the priest. Hence if the seller left over [any articles], the seller is obligated [to give the gifts to the priest]. For the buyer can say to him, “The gift to the priest remains with you.”*
- N. *But if [the seller] did not leave over [any articles], the buyer is obligated [to give the gifts]. For the seller can say to him, “I never sold you the priestly gift. [Nothing had been designated. You purchased the entire lot.]”*