Bechoros – Simanim
פרק ט – מעשר בהמה

Daf 58 – דף נח

1. Reasons for the three times of גרנות for מעשר בהמה

The Mishnah had listed three opinions on the three "גרנות" for מעשר בהמה, all of which were periods of time shortly before the three רגלים. These were chosen כדי שתהא בהמה מצויה לעולי רגלים – *so that animals would be* readily *available* for purchase *for those who come up* to Yerushalayim *for the* רגלים. Although animal merchants could sell or *shecht* their animals before the גורן without separating *maaser*, ניחא ליה דליתעביד מצוה בממוניה – [a person] *prefers that a mitzvah should be done with his property* (such as מעשר בהמה), and only afterwards sell or eat it. Thus, establishing the גורן shortly before the רגלים ensured a sufficient supply of animals for purchase. Rebbe Akiva said the three גרנות are the "פרוס" of each רגל. "פרוס" means "half," and refers to the *halachah* that שואלין ודורשין בהלכות פסח קודם לפסח ל' יום – *we ask about and expound the laws of Pesach* for *thirty days prior to Pesach*, half of which is fifteen days. The Gemara proceeds to explain the various differences of opinion of the three גרנות in our Mishnah.

2. The process for separating מעשר בהמה

The next Mishnah describes the process for separating מעשר בהמה: he gathers them into a pen and makes a small opening for them so that only one can pass through at a time, and he counts them as they pass through (under a staff), saying, "One, two, etc.," and the one which exits tenth he marks with red dye and says, "הרי זה מעשר" – *This one is hereby maaser."* If he did not mark it, or did not count them with a staff, או שמנאן רבוצים או עומדים – *or he counted them* while they were *crouching or standing* (without passing through an exit), the *maaser* is effective. However, if he had a hundred animals and he simply took ten as *maaser*, or he had ten animals and took one as *maaser*, the Tanna Kamma says it is not *maaser*, but Rebbe Yose bar Rebbe Yehudah says it is. A Baraisa adds that when he makes the small opening in the pen, the mothers are placed outside the pen and cry out to their young, which then exit toward their mothers. He cannot remove them himself, because the *passuk* says "יעבור" – [any that] *will pass*, implying ולא שיעבירוהו – *they shall not make it pass*.

3. If a counted animal returned to the pen (עשירי ודאי ולא ספק)

The Mishnah continued: קפץ אחד מן המנויין לתוכן – if *one of* [the animals] *which had* already *been counted jumped back into the midst of* [the uncounted animals in the pen], and we cannot identify it, all the animals are exempt from מעשר. This is because the previously counted animal may emerge as tenth, and it is unfit to be *maaser*, since it was already exempted. Since any animal which emerges as tenth would only be questionable *maaser*, they are all exempt, because of the principle (quoted above) that עשירי ודאי אמר רחמנא ולא ספק – *Hashem said* that only that *a definite tenth one* [shall be holy], *but not a questionable* tenth one. Wherever the *maaser* would be a matter of doubt, there is no *maaser* obligation. The Mishnah concludes: מן המעושרין לתוכן – if *one of* [the animals] *which had been designated as maaser* jumped back *into the midst of* [the animals in the pen], and it cannot be identified, כולם ירעו עד שיסתאבו – *they all must graze until they develop blemishes,* ויאכלו במומן לבעלים – *and they may be eaten by their owners in their blemished state*. Since one of the animals is a *korban*, none may be eaten before developing a מום.

***Siman* - Noach Goldberg the zookeeper**

Noach Goldberg, the zookeeper who **prepared all his animals for מעשר right before the רגל so the עולי רגלים would have ample meat for Yom Tov**, instructed his staff **how to take *maaser* by passing the animals through a small opening in a pen and painting the tenth with a red stripe**, and was dismayed when **one of the counted animals jumped back into the pen.**

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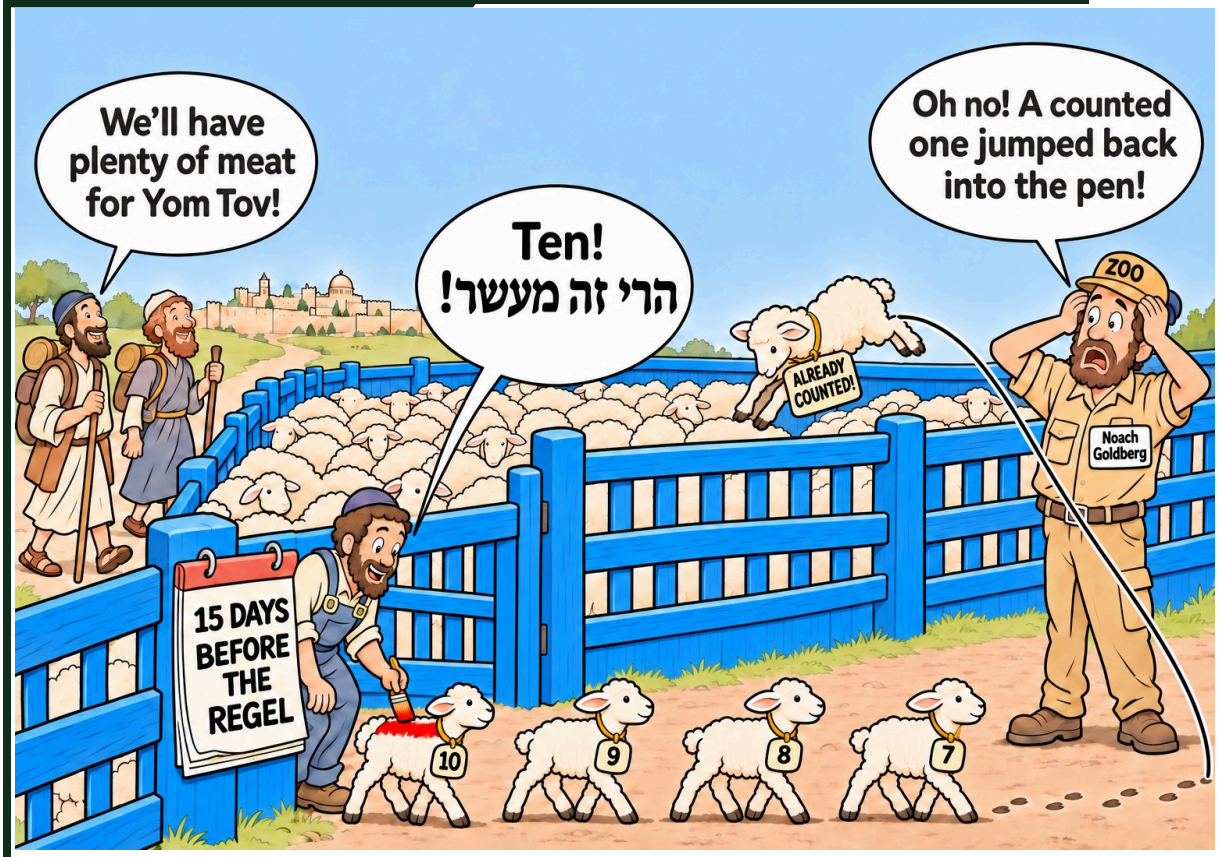
Noach Goldberg the zookeeper



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3 things to remember

1. **Reasons for the three times of מעשר בהמה for גרנות**
2. **The process for separating מעשר בהמה**
3. **If a counted animal returned to the pen (עשירי ודאי ולא ספק)**

