Bekhorot 58

Daf Yomi · Sunday, November 15, 2026 · ה' כסלו תשפ"ז · Covers 58a (the three tithing dates) through 59a (Abba Elazar ben Gomel and tithing by estimate)

Summary

Bekhorot 58 continues the Gemara on the three annual "threshing floors" for animal tithe. They are set shortly before each pilgrimage festival so that animals will be available for the pilgrims, even though one may sell and slaughter before the date. The period before a festival is fifteen days, half the thirty days in which the laws of Pesach are studied. The Gemara explains the dates of R. Akiva, Ben Azzai, R. Elazar and R. Shimon, and why the last tithing is on 29 Elul rather than on Rosh HaShanah. Ben Azzai tithes animals born in Elul separately because he could not decide between R. Meir and R. Elazar and R. Shimon, and R. Yochanan explains that all of them held their views as a tradition from Chaggai, Zekharyah and Malakhi.

Rava shows how a follower of Ben Azzai can tithe animals born in Av, Elul and Tishrei together. The Mishnah then describes the tithing itself: the animals pass one at a time through a small opening, the owner counts them, and he marks every tenth with red paint and declares it tithe. Tithing still takes effect if he did not mark it, did not count with the rod, or counted them lying or standing. If he took ten at a time and one from each group, it is not tithe, but R. Yose son of R. Yehuda says it is. An animal that jumps back from those already counted exempts the rest, and one from those already tithed makes them all graze until blemished. The Gemara explains R. Yose son of R. Yehuda through Abba Elazar ben Gomel's teaching that *terumah*, and therefore tithe, may be taken by estimate.

Detailed Summary

1. Animals for the pilgrims 58a

The preceding lines of 57b open the Gemara on why there are three threshing floors for animal tithe and why they come at these times (summary of Bekhorot 57).

R. TANCHUM. R. Tanchum son of Rav Chiya of Kfar Akko explained the timing: so that animals will be available for those going up to the festival.

Rashi – ד"ה כדי שתהא בהמה מצויה

THE ISSUE. How do the tithing dates make animals available?

RASHI'S EXPLANATION. Since the tithing date comes only shortly before the festivals, people keep their animals until then rather than slaughtering them before they are tithed. So animals are available near the festival for pilgrims to buy, whether for eating or for offerings.

WHY IT MATTERS. The dates serve the pilgrims, not only the tithing.

SELLING BEFORE THE DATE. Although we learned that before the threshing floor arrives one may sell and slaughter, a person likes a mitzvah to be done with his property, so he will wait, tithe, and then sell and eat.

Tosafot – ד"ה ניחא ליה לאיניש דליעביד מצוה בממוניה

CLARIFICATION. Although one may tithe, slaughter and sell before the date, once the Sages set a date, people tend to wait and tithe everything together.

WHY THIS MATTERS. The set date works in practice even without a legal requirement to wait.

WHY "THRESHING FLOOR." Why is it called a threshing floor? Because it makes the animals *tevel* like a threshing floor (Rashi: rabbinically, so that after the date one may not sell or slaughter until he tithes).

FIFTEEN DAYS. How long is "shortly before"? R. Yose son of R. Yehuda explained: not less than fifteen days. How is this implied? R. Abahu said: *peros* means half. Half of what? Of the laws of Pesach, as it was taught: one asks and expounds the laws of Pesach thirty days before Pesach; Rabban Shimon ben Gamliel says two weeks.

2. The dates of the Tanna'im 58a

BEN AZZAI. "Ben Azzai says on 29 Adar, on 1 Sivan." About what do R. Akiva and Ben Azzai disagree? R. Akiva holds that the Adar before Nisan is sometimes full and sometimes short, so fifteen days before Pesach sometimes falls on the 30th and sometimes on the 29th; therefore he does not fix a date. Ben Azzai holds that the Adar before Nisan is always short, so he fixes it on 29 Adar.

1 SIVAN. On 1 Sivan, since there are not many animals (Rashi: born between Pesach and then), if you say to tithe earlier, by the time the festival arrives they would all be used up.

29 AV. "On 29 Av..." Ben Azzai follows his view that animals born in Elul are tithed by themselves. Let him tithe them on the 30th! Sometimes Av is made short, and we need a clear distinction between new and old.

Rashi – ד"ה ובעינן היכירא

THE ISSUE. Why not tithe on 1 Elul?

RASHI'S EXPLANATION. Although on 1 Elul the Elul animals are still too young, a clear distinction is needed, so that people will not tithe new and old together one day apart, the new of Elul with the old of Av. Therefore Av animals are not tithed in Elul at all, even on the first day.

WHY IT MATTERS. Keeping each year's animals separate requires a visible break in the calendar.

R. ELAZAR AND R. SHIMON. "R. Elazar and R. Shimon say on 1 Nisan, on 1 Sivan..." On 1 Nisan, following Rabban Shimon ben Gamliel, who said two weeks; on 1 Sivan, as we said. On 29 Elul, R. Elazar and R. Shimon follow their view that 1 Tishrei is the new year for animal tithe.

NOT ON ROSH HASHANAH. "Why did they say 29 Elul and not 1 Tishrei? Because it is a festival..." Derive it from the need to distinguish new and old! He states one reason and then another: one, that we need a distinction between new and old; and another, that it is a festival, and one cannot tithe on a festival because of the red paint.

Rashi – ד"ה סקרתא

THE ISSUE. What is the problem with the paint?

RASHI'S EXPLANATION. It is red ochre, used to color the tenth animal.

WHY IT MATTERS. Marking the animal would be a forbidden labor on the festival.

3. Ben Azzai's doubt 58a

ELUL ANIMALS. "R. Meir says 1 Elul is the new year for animal tithe; Ben Azzai says..." It was taught: Ben Azzai said, since these say so and those say so, the Elul animals are tithed by themselves (Rashi: I do not know whom the law follows).

WHY NOT DECIDE? Let him see whose reasoning is more convincing! If you say he could not assess their reasoning, it was taught: Ben Azzai says, all the Sages of Israel are to me like a garlic peel, except this bald one.

Tosafot – ד"ה חוץ מן הקרח הזה

QUESTION. Rashi explains this refers to R. Akiva, and that R. Yehoshua ben Korcha was R. Akiva's son. But why would Ben Azzai call R. Akiva by a disparaging name instead of his own? Moreover, the chronology does not fit: R. Yehoshua ben Korcha blessed Rabbi to reach half his years (Megil-

lah 28a), but by the reckoning of R. Akiva's life, R. Yehoshua would have been about 140 then, and the blessing would make little sense.

ANSWER. Rabbeinu Nissim explains it refers to R. Elazar ben Azarya, who according to the Yerushalmi was bald.

WHY THIS MATTERS. Whoever is meant, Ben Azzai considered himself able to judge the reasoning of almost everyone.

R. YOCHANAN. R. Yochanan said: they said it from tradition, from the mouth of Chaggai, Zekharyah and Malakhi.

Rashi – ד"ה מפי שמועה אמרוה

THE ISSUE. Why could Ben Azzai not decide by reasoning?

RASHI'S EXPLANATION. R. Meir, R. Elazar and R. Shimon all stated their views from a tradition received from Chaggai, Zekharyah and Malakhi. Therefore Ben Azzai did not want to rely on his own judgment to fix the law.

WHY IT MATTERS. A received tradition cannot be decided by weighing arguments.

Tosafot – ד"ה מפי חגי זכריה ומלאכי

QUESTION. In Rosh HaShanah (8a), the Tanna'im derive their dates from verses comparing animal tithe to grain tithe. How then can their views be a prophetic tradition?

ANSWER. Even so, since these expositions themselves came by tradition from Chaggai, Zekharyah and Malakhi, Ben Azzai could not determine which was primary.

WHY THIS MATTERS. Even derived rulings can rest on received tradition.

4. How Ben Azzai counts 58a–58b

THE BARAITA. It was taught: how did Ben Azzai mean that Elul animals are tithed by themselves? If five were born to him in Av and five in Elul, they do not combine. Five in Elul and five in Tishrei do not combine. Five in Tishrei and five in Av combine (Rashi: in the following Av, even though threshing floors intervene).

OBVIOUS? That is obvious! One might have said that just as years separate, so do threshing floors; it teaches us otherwise, as we learned: five before Rosh HaShanah and five after do not combine; five before the threshing floor and five after combine.

RAVA. Rava said: according to Ben Azzai, if five were born in Av, five in Elul and five in Tishrei, he brings them into the pen to be tithed and takes one from the Elul animals, and the rest are exempt. Either way: if 1 Elul is the new year, the Elul and Tishrei animals combine and the Av animals are exempt; if 1 Tishrei is the new year, the Av and Elul animals combine and the Tishrei animals are exempt.

Rashi – ד"ה ונוטל אחד מן האלולין

THE ISSUE. How can he take an Elul animal without choosing it, which is forbidden?

RASHI'S EXPLANATION. He does not deliberately bring it out tenth, since "he shall not inquire" is written. Rather, it is as when he counts them lying or standing, so he cannot arrange for an Elul animal to be tenth, since he cannot know which comes first in a group of ten.

WHY IT MATTERS. The tithe must still be chosen by the count, not by the owner.

ANOTHER YEAR? What will you say, to combine them with another threshing floor? The Torah said "the tenth," a certain one, not a doubtful one (Rashi: perhaps the Tishrei animals were already exempted by the one taken from the Elul animals). It is obvious! One might have said we decree lest he take from those others; it teaches us otherwise.

5. Mishnah: how one tithes 58b

MISHNAH (BEKHOROT 58b)

באי זה צד מעשרין? כונסן לדיר, ועושה להם פתח קטן כדי שלא יהו שנים יכולין לצאת כאחת, ומונין א' ב' ג' ד' ה' ו' ז' ח' ט', והיוצא עשירי סוקר בסיקרא ואומר: ה"ז מעשר. לא סקרו בסיקרא, ולא מנאן בשבט, או שמנאן רבוצים או עומדים, הרי אלו מתעשרין. היה לו מאה ונטל עשרה, עשרה ונטל אחד, אין זה מעשר. רבי יוסי ברי יהודה אומר: מעשר. קפץ אחד מן המנויין לתוכן, הרי אלו פטורין. מן המעושרין לתוכן, כולם ירעו עד שיסתאבו, ויאכלו במומן לבעלים.

How does one tithe? He brings them into a pen and makes a small opening for them so that two cannot go out at once (Rashi: otherwise the ninth and tenth would be confused), and they count one, two, three, four, five, six, seven, eight, nine; the one that goes out tenth, he marks with red paint and says: this is tithe. If he did not mark it with red paint, did not count them with the rod, or counted them lying or standing, they are still tithed. If he had a hundred and took ten, ten, and took one, this is not tithe (Rashi: it must be counted, so that the tenth by count is holy). R. Yose son of R. Yehuda says it is tithe. If one of those already counted jumped back among them, they are all exempt (Rashi: those counted are exempted by the proper count, and since it is unknown which is exempt, all in the pen are exempt). If one of those already tithed jumped among them, they all graze until blemished and are eaten in their blemish by the owners.

Rashi – ד"ה מן המניין

THE ISSUE. Why does one counted animal exempt the rest?

RASHI'S EXPLANATION. It is one of those that already passed through the opening under the rod, even if not yet tithed. The counted animals are exempt through the proper count, as the Gemara explains, and since it is unknown which one is exempt, all those in the pen are exempt.

WHY IT MATTERS. This introduces Rava's principle that a proper count exempts.

6. The mothers outside 58b

THE BARAITA. The Sages taught: how does one tithe? He brings them into a pen and makes a small opening so two cannot go out at once. Their mothers are outside and they are inside, and the mothers bleat and the young go out to meet them.

WHY NOT LEAD THEM? Let him bring them out himself! "It passes" is written, not that they make it pass. Let him throw them greens so they come out after them! Rav Huna said: it is a decree because of a purchased animal and an orphan (Rashi: an orphan whose mother died before it was born is exempt, and greens would draw it out too; with the mothers outside, the owner is reminded that orphans and purchased animals are not tithed).

"ALL THAT PASSES." The Sages taught: "all that passes under the rod" (Vayikra 27:32) excludes a *tereifah*, which does not pass under the rod (Rashi: for example, its legs are broken above the knee and it cannot walk). It is a mitzvah to count them with the rod. If he did not count them with the rod, or counted them lying or standing, whence that they are tithed? The verse says "the tenth shall be holy," in any case.

NOT CALLED TENTH. I have only where he called it tenth; whence where he did not call it tenth? The verse says "it shall be holy," in any case. One might think that if he had a hundred and took ten, ten, and took one, they are tithed; the verse says "tenth," and this is not tenth. R. Yose son of R. Yehuda says: it is tithe.

7. Tithing by estimate 58b–59a

ABBA ELAZAR BEN GOMEL. What is the reason of R. Yose son of R. Yehuda? He holds like Abba Elazar ben Gomel, as it was taught: Abba Elazar ben Gomel says, "and your *terumah* shall be reckoned to you" (Bamidbar 18:27): the verse speaks of two *terumot*, the great *terumah* and the *terumah* of the tithe.

Rashi – ד"ה בשתי תרומות

THE ISSUE. How does a verse about the Levites' *terumah* include the great *terumah*?

RASHI'S EXPLANATION. Although the verse is written about *terumat ma'aser*, it continues "as the grain of the threshing floor," like the great *terumah* that a Jew takes from his threshing floor. So the two are compared.

WHY IT MATTERS. The comparison carries the rules of one *terumah* to the other.

THE CHAIN. Just as the great *terumah* is taken by estimate and by thought, so *terumat ma'aser* is taken by estimate and by thought. And the Torah calls the tithe *terumah,* as it is written: "for the tithe of the children of Israel that they set apart as a *terumah* to the Lord I have given to the Levites" (Bamidbar 18:24). And animal tithe is compared to grain tithe: just as grain tithe is taken by estimate and by thought, so animal tithe is taken by estimate and by thought.

Rashi – ד"ה במחשבה

THE ISSUE. What are "estimate" and "thought"?

RASHI'S EXPLANATION. By estimate: he judges how much is in the pile and takes *terumah* accordingly. By thought: he says, the two *log* I will separate are *terumah*, without measuring them; alternatively, he sets his eyes on one side and eats from the other.

WHY IT MATTERS. If tithe can be taken without exact counting, taking one from each group of ten works.

Tosafot – ד"ה כשם שהתרומה גדולה ניטלת מאומד

CLARIFICATION. By Torah law, estimate does not apply to the great *terumah*, since one grain exempts the pile and the Torah set no measure. But since estimate applies to *terumat ma'aser*, whose measure is written, "a tenth of the tithe," and the Sages set a measure for the great *terumah* too, estimate applies to it as well.

WHY THIS MATTERS. The comparison runs through the rabbinic measure of the great *terumah*.

Rava's statement that the tenth is holy by itself begins on 59a and is covered in the summary of Bekhorot 59.

The full picture in plain language

Animal tithe is taken three times a year, on dates set shortly before each pilgrimage festival so that owners hold their animals until then and the market is supplied for the pilgrims. The Tanna'im disagree on the exact days and on the start of the tithe year, and Ben Azzai, unable to decide between traditions handed down from the last prophets, treats animals born in Elul as a group of their own. Rava shows how a careful owner can satisfy every view at once.

The Mishnah then describes the ceremony: the young pass one by one through a narrow gate toward their bleating mothers, and every tenth is marked with red paint. The details are not essential, but the count is: taking one from each group of ten without counting is invalid according to the Sages. R. Yose son of R. Yehuda allows it, building on Abba Elazar ben Gomel's chain of comparisons that lets *terumah* and tithe be taken by estimate.

Glossary

Hebrew	Transliteration	Meaning in this sugya
מעשר בהמה	*ma'aser behemah*	The tithe of each year's newborn animals.
גרנות	*granot*	"Threshing floors": the three annual tithing dates.
פרס	*peras*	Half: the fifteen days before a festival.
אלולין	*elulin*	Animals born in Elul.
סיקרא	*sikra*	Red paint used to mark the tenth animal.
שבט	*shevet*	The rod under which the animals pass.
אומד ומחשבה	*omed u-machshavah*	Separating by estimate and by thought.

Sources: Gemara with relevant Rashi and Tosafot.