

פירות נטיעה זו אסורין עד חמשה
עשר בשבט, אם לערלה - ערלה,
ואם לרבעי - רבעי.

מנא הני מילי? אמר רבי חייא
בר אבא אמר רבי יוחנן, ומטו
בה משמיה דרבי ינאי: אמר
קרא: "ובשנה הרביעית ובשנה
החמישית",

פעמים שברביעית - ועדיין
אסורה משום ערלה, ופעמים
שבחמישית - ועדיין אסורה
משום רבעי.

לימא דלא ברבי מאיר, דאי רבי
מאיר - הא אמר: יום אחד בשנה
חשוב שנה, דתנאי: פרו האמור
בתורה סתם - בן עשרים וארבעה
חדש ויום אחד, דברי רבי מאיר.

And if the planting, layering, or grafting took place more than thirty days before Rosh HaShana, the fruit of this planting is prohibited^N until the fifteenth of Shevat^{HN} of the fourth year since the tree's planting, even though the three years were already completed the previous Rosh HaShana. This principle applies both for *orla*^B during the year of *orla*, when it is prohibited to eat the fruit, and for fourth-year produce^B during the year of fourth-year produce, which must be eaten in Jerusalem or redeemed before it is eaten outside Jerusalem.

The Gemara asks: From where are these matters derived, that the prohibitions of *orla* and fourth-year produce extend past Tishrei until the fifteenth of Shevat? Rabbi Hiyya bar Abba said that Rabbi Yoḥanan said, and some determined that it was stated in the name of Rabbi Yannai: The verse states: "Three years shall it be as prohibited to you; it shall not be eaten. And in the fourth year all its fruit shall be sacred for praise-giving to the Lord. And in the fifth year shall you eat of its fruit, that it may yield to you its increase; I am the Lord your God" (Leviticus 19:23–25).

The *baraita* explains: The repetition of the word "and," indicated by the conjunctive *vav* that joins these verses, teaches that there are times that the tree is already in its fourth year and yet the fruit is forbidden as *orla*, from the verses "three years... and in the fourth year"; and there are times that the tree is already in its fifth year and yet the fruit is forbidden as fourth-year produce, from the verses "in the fourth year... and in the fifth year."

The Gemara suggests: Let us say that this *baraita* is not in accordance with the opinion of Rabbi Meir,^N as, if it were in accordance with the opinion of Rabbi Meir, didn't Rabbi Meir say that even one day in a year is considered a year? As it is taught in a *baraita*: The term bullock [*par*]^N mentioned in the Torah without specification is referring to a bullock that is twenty-four months and one day old, as although it is known by tradition that a bullock is three years old, once it is one day into its third year, it is already considered three years old; this is the statement of Rabbi Meir.

HALAKHA

אסורין עד חמשה עשר - בשבט: The first of Tishrei is the new year with regard to planting trees, yet the fruit remains forbidden until the fifteenth of Shevat of the fourth year. Any fruit that was formed before the fifteenth of Shevat of the third year is still *orla* even if it ripened fully only after the fifteenth of Shevat. However, fruit that was formed after the fifteenth of Shevat is treated as fourth-year produce and may be eaten after it is redeemed, and in the fifth year it is ordinary produce.

Some say that one must wait until the fifteenth of Shevat only in a case when the tree was planted just before Rosh HaShana by one who relied on the leniency of counting six weeks as a whole year. However, if the tree was planted after Rosh HaShana the years are counted from the date of the planting (Rambam; *Sefer Mitzvot Gadol*; Vilna Gaon). Others say that it makes no difference, and in all cases the count is from the fifteenth of Shevat (Rabbi Zerahya HaLevi; Ritva; *Tosafot*). There are many different opinions about the details of this *halakha*, whether the tree was planted after the fifteenth of Av, after Rosh HaShana, or after the fifteenth of Shevat (*Shulḥan Arukh*, *Yoreh De'a* 294:4–5).

BACKGROUND

Orla - ערלה: It is prohibited to eat or to derive benefit from fruit that grows during the first three years after a tree has been planted (see Leviticus 19:23). This prohibition applies only to the fruit but not to the other parts of the tree. It also does not apply to trees that were not planted for their fruit, but rather as a fence or as a wind buffer.

Fourth-year produce - רבעי: The fruit that grows during the year following the three-year period of *orla* is treated like second tithe (see Leviticus 19:24). It must be brought to Jerusalem and eaten there. If it cannot be brought to Jerusalem, it is redeemed and the redemption money is brought to Jerusalem, where it is spent on food and drink. As long as the Temple was standing, the Sages ordained that anyone who lived a single day's journey from Jerusalem was not permitted to redeem his fourth-year produce but had to bring it to Jerusalem in order to adorn the streets of Jerusalem with fruit (*Beitza* 5a). Nowadays, fourth-year produce is still redeemed, albeit for a nominal sum rather than for its real value, since the Temple is no longer standing, and therefore the redemption money may not be brought to Jerusalem and spent there.

NOTES

The fruit of this planting is prohibited - פירות נטיעה זו אסורין: The word: This, is the basis of a dispute with regard to the *halakhot* of *orla*, which consists of two main explanations and several variants. The dispute revolves around the meaning of the phrase: The fruit of this planting. Does it refer specifically to this case or to all fruit? Must one wait until the fifteenth of Shevat to eat this produce only in the case where the tree was planted just before Rosh HaShana or in any case? If so, the reason is that since the Sages were lenient in considering thirty days as a complete year, they were stringent not to count the final year until the fifteenth of Shevat (Rashi; Rambam). If the *halakha* is that one must wait until the fifteenth of Shevat in all cases, regardless of when the tree was planted, the phrase: The fruit of this planting, does not come to exclude other cases (Rabbi Zerahya HaLevi; Ra'avad; Ran; Ritva).

The authorities also disagree with regard to the details of this *halakha*. Among those who say that one need not wait until the fifteenth of Shevat in cases where the tree was planted more than thirty days before Rosh HaShana, some hold that the years are determined by the date of planting, while others are of the opinion that the years are counted from the first of Tishrei. All agree with regard to any trees planted between the fifteenth of Shevat and the fifteenth of Av that the year ends on the fifteenth of Shevat. However, if the tree was planted

between Rosh HaShana and the fifteenth of Shevat, some are of the opinion that the years are counted from Rosh HaShana (Rav Yehuda ben Rav Binyamin HaRofeh; *Meiri*; *Shiltei Gibborim*), while others rule that one counts from the date of planting (Rambam; *Sefer Mitzvot Katan*; Vilna Gaon).

They also disagree with regard to a case of one who planted between the fifteenth of Av and Rosh HaShana: According to some opinions the years are counted from Rosh HaShana (Rambam; *Sefer Mitzvot Katan*; Ra'avad; Ramban), while others (*Meiri*; Rashi, cited by Rosh and Ritva) say that the count is from the date of planting. According to the Rosh and the Ran, the main issue was already the subject of an amoraic dispute in the Jerusalem Talmud in tractate *Shevi'it*. According to the *Turei Even*, these rulings apply only to planting, but not to grafting and layering.

Until the fifteenth of Shevat - עד חמשה עשר בשבט: Years for fruit for the purposes of tithes are counted from the fifteenth of Shevat. However, the new year for counting the age of the tree for the purposes of *orla* is Rosh HaShana (see Rashi).

Let us say that this *baraita* is not in accordance with the opinion of Rabbi Meir - לימא דלא ברבי מאיר: The early authorities ask: The Gemara's understanding at this stage of the discussion seems to be that these thirty days are the period during which

the seedling takes root. In that case, it is not a theoretical matter of when the year begins, but rather an issue that is dependent on physical reality. If so, how does that contradict the statement of Rabbi Meir? The answer is that the thirty days are necessary only to show retroactively that the seedling had taken root. However, it actually takes root immediately, and therefore even one day should be considered as a year (Ran; see *Tosefot Yeshanim*).

As it is taught, bullock - דתניא פרו: The author of the *Penei Yehoshua* asks: With regard to offerings, one counts according to the years of the animals themselves and not calendar years, based on the verse: "One young bullock, one ram, one he-lamb of its first year" (Numbers 7:15). If so, how can the Gemara compare the *baraita* that refers to fruit trees with the *baraita* that refers to years of animals? Why does the Gemara think that the two cases are similar such that it appears that the *baraita* which refers to fruit is not in accordance with the opinion of Rabbi Meir? The answer is that the Torah refers to the animals: "One young bullock, one ram, one he-lamb of its first year, for a burnt-offering" (Number 7:15). Since the Torah does not specify the year with regard to the age of bullocks and rams but only with regard to the age of he-lambs, one might think that the age of bullocks and rams should be determined via the calendar year like other matters in the Torah.

HALAKHA

A calf and a bullock – עֵגֶל וּפָר: Wherever the Torah mentions a calf, it is referring to an animal up to a year old; wherever it mentions a bullock, it is referring to an animal that is two years old, though some say two years and one day (Meiri). This is the Rambam's understanding of the mishna in tractate Para (Rambam Sefer Avoda, Hilkhot Ma'aseh HaKorbanot 1:14 and Kesef Mishne there).

A menstruating woman where the beginning of the day is not counted at the end – נְדָה שֶׁאֵין תְּחִילַת הַיּוֹם עוֹלָה לָּהּ – בְּסוּפָה: Everything stated here applies to a menstruating woman who, by Torah law, counts seven days of ritual impurity. These seven days include the days when she experiences a menstrual flow and the days after it ends. However, in ancient times Jewish women accepted a stringency upon themselves, and since then accord all menstruating women the legal status of an uncertain zava, which entails a longer purification process (Shulhan Arukh, Yoreh De'a 183:1).

LANGUAGE

A bullock and a calf [par ve'egel] – פָּר וְעֵגֶל: In Biblical Hebrew there are three terms for cattle: Egel, shor, and par. The term egel denotes a young calf. The term par is used for a fully grown animal. The word shor denotes a male animal of any age, and there is no parallel feminine form. There are also various combinations: Egel ben bakar (Leviticus 9:2), par ben bakar (Leviticus 4:3), shor par (Psalms 39:62), and par hashor (Judges 6:25).

NOTES

One day in a year – יוֹם אֶחָד בְּשָׁנָה: This has implications in other areas of halakha. With regard to certain issues, such as renting houses, all agree that only a period of thirty days is considered a year, whereas with regard to other issues, such as the age of majority, when, on the first day of the thirteenth year for a boy, or the first day of the twelfth year for a girl, they are already considered adults.

Perek I
Daf 10 Amud b

HALAKHA

Extension of the Sabbatical Year – תּוֹסֶפֶת שְׁבִיעִית: It is a halakha transmitted to Moses from Sinai that it is prohibited to work the land or prepare the ground for later use less than thirty days before the Sabbatical Year. Any tree that has not taken root before this time must be uprooted. This halakha applied only while the Temple was standing, but since its destruction, it is permitted to plant until the Sabbatical Year begins (Hazon Ish; Rambam Sefer Zera'im, Hilkhot Shemitta VeYovel 3:1, 11).

The time period of taking root – זְמַן קְלִיטָה: The time period allotted for a tree to take root is two weeks, in accordance with the opinion of Rabbi Yosei and Rabbi Shimon, both due to the principle that the halakha follows Rabbi Yosei in disputes with his colleagues and because various talmudic discussions assume this opinion (Rambam Sefer Zera'im, Hilkhot Ma'aser Sheni 9:8).

רַבִּי אֶלְעָזָר אוֹמֵר: בֵּן עֶשְׂרִים וְאַרְבָּעָה חֳדָשׁ וּשְׁלֹשִׁים יוֹם. שֶׁהֵיָה רַבִּי מֵאִיר אוֹמֵר: כָּל מְקוֹם שֶׁנֶּאֱמַר "עֵגֶל" בַּתּוֹרָה סָתָם – בֶּן שָׁנָה; "בֶּן בָּקָר" – בֶּן שְׁתַּיִם; "פָּר" – בֶּן שָׁלֹשׁ!

אֶפְלוּי תֵימָא רַבִּי מֵאִיר. כִּי קָאָמַר רַבִּי מֵאִיר יוֹם אֶחָד בְּשָׁנָה חָשׁוּב שָׁנָה – בְּסוּף שָׁנָה, אֲבָל בְּתַחֲלַת שָׁנָה – לֹא.

אָמַר רַבָּא: וְלֹאֵו קַל וְחוֹמֵר הוּא? וּמָה נְדָה שֶׁאֵין תְּחִילַת הַיּוֹם עוֹלָה לָּהּ בְּסוּפָה – סוּף הַיּוֹם עוֹלָה לָּהּ בַּתְּחִלָּתָהּ, שָׁנָה, שְׁנָיִם אֶחָד עוֹלָה לָּהּ בְּסוּפָה,

The baraita continues: Rabbi Elazar says: The term bullock is referring to an animal that is twenty-four months and thirty days old. As Rabbi Meir would say: Wherever a calf [egel] is stated in the Torah without specification, the reference is to a calf that is one year old; a young ox [ben bakar] is referring to a cow that is two years old; and a bullock is referring to a cow that is three years old.^{HL} Since the baraita dealing with planting requires that the tree be planted thirty days before Rosh HaShana, rather than one day, it would seem that it is not in accordance with the opinion of Rabbi Meir.

The Gemara rejects this argument: Even if you say that the baraita is in accordance with the opinion of Rabbi Meir, it can be explained as follows. When Rabbi Meir said that one day in a year^N is considered a full year, this is only when the day is at the end of the year; since the count of a new year is about to begin, the day is considered like a whole year. But if the day is at the beginning of the year, that one day is not considered like a whole year.

Against this claim Rava said: But can we not invoke an a fortiori argument to prove just the opposite? Whereas in the case of a menstruating woman, where the beginning of the day is not counted as a full day at the end^H of her seven-day period of ritual impurity and instead she must wait until the end of the seventh day and immerse in a ritual bath only in the evening, yet nevertheless the end of the day is counted as a full day at the beginning of her ritually impure period, since if she experienced bleeding shortly before sunset that day is considered as the first day of her seven-day period of impurity; if so, in the case of a year, where one day is counted as a full year at the end of the year,

אֵינוֹ דִּין שְׁנָיִם יוֹמִים אֶחָד עוֹלָה בַּתְּחִלָּתָהּ? אִם כֵּן, מִדְּבַר רַבִּי מֵאִיר וְשְׁלֹשִׁים בְּעֵינֵי דְתַנְּנֵי: אֵין נוֹטְעִין וְאֵין מְבַרְכִין וְאֵין מְרַבִּיבִין עָרֵב שְׁבִיעִית פְּחוֹת מִשְׁלֹשִׁים יוֹם לִפְנֵי רֹאשׁ הַשָּׁנָה, וְאִם נִטְעַ וְהִבְרִיךְ וְהִרְכִּיב – יַעֲקוֹר, דְּבַרִּי רַבִּי אֶלְעָזָר. רַבִּי יְהוּדָה אוֹמֵר: כָּל הִרְכָּבָה שְׁאֵינָה קוֹלְטַת בְּשָׁלֹשׁה יָמִים שׁוֹב אֵינָה קוֹלְטַת. רַבִּי יוֹסִי וְרַבִּי שְׁמַעוֹן אוֹמְרִים: שְׁתֵּי שָׁבָתוֹת.

is it not right that one day should count as a full year at the beginning of the year?

וְאֵלָּא מֵאִי? רַבִּי אֶלְעָזָר? שְׁלֹשִׁים וּשְׁלֹשִׁים בְּעֵינֵי דְתַנְּנֵי: אֵין נוֹטְעִין וְאֵין מְבַרְכִין וְאֵין מְרַבִּיבִין עָרֵב שְׁבִיעִית פְּחוֹת מִשְׁלֹשִׁים יוֹם לִפְנֵי רֹאשׁ הַשָּׁנָה, וְאִם נִטְעַ וְהִבְרִיךְ וְהִרְכִּיב – יַעֲקוֹר, דְּבַרִּי רַבִּי אֶלְעָזָר. רַבִּי יְהוּדָה אוֹמֵר: כָּל הִרְכָּבָה שְׁאֵינָה קוֹלְטַת בְּשָׁלֹשׁה יָמִים שׁוֹב אֵינָה קוֹלְטַת. רַבִּי יוֹסִי וְרַבִּי שְׁמַעוֹן אוֹמְרִים: שְׁתֵּי שָׁבָתוֹת.

Rather, what opinion does it follow? If the baraita was not taught in accordance with the opinion of Rabbi Meir, does it follow the opinion of Rabbi Elazar, who holds that only thirty days are considered like a year? If so, then thirty days and another thirty days are required: Thirty days for the planting to take root, and another thirty days to count as a year. As we learned in a mishna: One may not plant, layer, or graft trees on the eve of the Sabbatical Year less than thirty days before Rosh HaShana,^H and if one planted, layered, or grafted, he must be uproot it, as the planting will take root only in the seventh year; this is the statement of Rabbi Elazar. Rabbi Yehuda says: Any grafting that does not take root within three days will never take root. Rabbi Yosei and Rabbi Shimon say: Two weeks are needed for the planting to take root.^{HB}

BACKGROUND

The time period of taking root – זְמַן קְלִיטָה: The time period allotted for a graft to take root depends on the type of tree, the season of the year, and the technique used for the graft. In general this period is between two and three weeks.

Three and thirty – שלשה ושלשים: According to Rashi and Rabbi Yehuda bar Natan, three days are needed for the plants to take root and thirty more for the extension of the Sabbatical Year. Many early authorities (Rid; Rabbeinu Tam) disagree, arguing that nowhere is it stated that it is prohibited to plant during the extension of the Sabbatical Year. Rather, it is prohibited only to work the land. Instead, they explain that these thirty days are needed to be considered a year with regard to the *halakhot of orla*. There are two explanations for this thirty-day period: One is that it was instituted as a penalty; since people were negligent about the Sabbatical Year, the Sages prohibited planting before the year begins. The other is due to suspicion; if one were to plant a tree immediately prior to the beginning of the Sabbatical Year, the Sabbatical Year would be counted as the first year of the tree, and others would suspect that he planted the tree during the Sabbatical Year. The author of the *Penei Yehoshua* suggests that according to Rashi, *ab initio*, one needs three days, or two weeks, plus an additional thirty days, but after the fact, if one planted, he is not liable to receive lashes.

And it came to pass in the one and six hundredth year – ויהי באחת ושיש מאות שנה – The author of the *Turei Even* argues from here that since the Torah dates this event to the six hundredth year of Noah's life, it must be that one's age is not counted from the date of his birth but from either Nisan or Tishrei (see also *Sefat Emet*).

A month according to its unit and a year according to its unit – תדש למנויו ושנה למנויה – Rashi explains that a month is composed of units of time that are naturally distinguishable from one another, i.e., days, and therefore the count for months is according to days. Similarly, a year is comprised of months, which are also naturally distinguishable from one another via the lunar cycle, and the unit of a lunar year is a month.

In Tishrei the world was created – בתשרי נברא העולם – The early authorities note that according to Rabbi Eliezer, Creation did not begin on the first of Tishrei but on the twenty-fifth of Elul. The first of Tishrei is the anniversary of the creation of Adam and Eve (see Ran).

In Tishrei the world was created; in Tishrei the Patriarchs were born – בתשרי נברא העולם; בתשרי נולדו אבות – Some questioned the apparent redundancy of repeating the phrase: In Tishrei, in this *baraita*: Why doesn't Rabbi Eliezer include all of the events together, and say that in Tishrei, the world was created, the Patriarchs were born, etc.? They answer that the *baraita* is written in this style because each event is derived from a separate biblical source (*Iyyun Ya'akov*). Alternatively, this formulation is used because the various events occurred on different days of the month (see *Turei Even* and *Sefat Emet*).

HALAKHA

Thirty days in a year – שלשים יום בשנה – When calculating the age of a tree, thirty days are considered like a complete year, in accordance with the opinion of Rabbi Elazar against that of Rabbi Meir, and in accordance with the Gemara's discussion. The thirty-day count begins after the tree has taken root (Rambam *Sefer Zera'im, Hilkhot Ma'aser Shenii* 9:8).

ואמר רב נחמן אמר רבה בר אבוא: לדברי האומר שלשים – צריך שלשים ושלשים; לדברי האומר שלשה – צריך שלשה ושלשים; לדברי האומר שתי שבתות – צריך שתי שבתות ושלשים יום. ואי נמי ברבי יהודה סבירא ליה – שלשה ושלשים בעני!

אלא, לעולם רבי מאיר. וכי קאמר שלשים – לקליטה.

אי הכי שלשים ואחד בעני! קא סבר: יום שלשים עולה לכאן ולכאן.

אמר רבי יוחנן: ושניהן מקרא אחד דרשו: "ויהי באחת ושיש מאות שנה בראשון באחד לחדש". רבי מאיר סבר: מדאכתני יום אחד הוא דעיל בשנה וקא קרי לה שנה – שמע מינה: יום אחד בשנה חשוב שנה.

ואידך: אי כתיב בשש מאות ואחת שנה – כדקאמרת. השתא דכתיב: "באחת ושיש מאות שנה" – שנה איש מאות קאי. ומאי אחת? אתחלתא דאחת קאמר.

ורבי אלעזר מאי טעמא? דכתיב: "בראשון באחד לחדש". מדאכתני יום אחד הוא דעיל בחדש, וקא קרי ליה חדש – שמע מינה: יום אחד בחדש חשוב חדש. ומדיום אחד בחדש חשוב חדש, שלשים יום בשנה חשובין שנה. וחדש למנויו ושנה למנויה.

מכלל דתרווייהו סבירא להו בניסן נברא העולם.

תנא, רבי אליעזר אומר: בתשרי נברא העולם; בתשרי נולדו אבות, בתשרי מתו אבות; בפסח נולד יצחק; בראש השנה נפקדה שרה רחל ורחל ויחנה, בראש השנה יצא יוסף מבית האסורים.

And on this topic Rav Nahman said that Rabba bar Avuh said: According to the statement of the one who says thirty days, this means that it requires thirty days for the planting to take root and another thirty days to count as a year. And according to the statement of the one who says three days, this means that it requires thirty-three days. And according to the statement of the one who says two weeks, this means that it requires two weeks for the planting to take root and another thirty days to count as a year. And if the *tanna* of the mishna holds in accordance with the opinion of Rabbi Yehuda that only three days are needed for the planting to take root, it still requires three days for the planting to take root and thirtyⁿ days to count as a year. If so, the *baraita* cannot be understood even in accordance with the opinion of Rabbi Elazar.

Rather, it must be understood as follows: The *baraita* was actually taught in accordance with the opinion of Rabbi Meir, and when it says thirty days, it is referring to the time needed for the planting to take root.

The Gemara raises a difficulty: If so, it requires thirty-one days; thirty days for the planting to take root and one more day to count as a year. The Gemara answers: This is theoretically correct, but he holds that the thirtieth day is counted for here and for there, i.e., it counts as both the thirtieth day for taking root and as a day that is counted as a year.

Rabbi Yoḥanan said: And both of them, Rabbi Meir and Rabbi Elazar, who disagree about how much time must pass to count as a year, expounded the same verse. As the verse states: "And it came to pass in the one and six hundredth year,ⁿ in the first month on the first day of the month, that the waters were dried up from off the earth" (Genesis 8:13). Rabbi Meir holds: From the fact that it was only one day into the year, as it was still the first day of the first month, and yet it is called the six hundred and first year, learn from here that one day in a year is already considered a year.

And the other *tanna*, Rabbi Elazar, expounds the verse as follows. If it had written: In the six hundred and first year, it would be as you said. However, now that it is written: "In the one and six hundredth year," I can say that the word "year" relates to "six hundredth," thereby teaching that it is still considered the six hundredth year. And what is meant by "one"? That it is the beginning of one year, but not that the first day counts as a year.

The Gemara asks: And with regard to Rabbi Elazar, what is the rationale for his opinion? From where does he learn that thirty days are counted as a year? As it is written: "In the first month on the first day of the month." Since it was only one day into the month, and yet it is called a month, learn from here that one day in a month is already considered a month. And since one day in a month is already considered a month, likewise thirty days in a yearⁿ are already considered a year, as a month is calculated according to its unit, and a year is calculated according to its unit.ⁿ If one unit by which a month is calculated, i.e., a day, counts as a full month, so too, one unit by which a year is calculated, i.e., a month, counts as a full year.

§ The Gemara comments: By inference, both of them, Rabbi Meir and Rabbi Elazar, hold that the world was created in Nisan and that the years are counted from that month, as, if the world were created in Tishrei and the count started then, the first day of the first month of the six hundred and first year would already have been six months into the year for the purpose of counting years.

It is taught in a *baraita* that the *tanna'im* disagreed about this point: Rabbi Eliezer says: In Tishrei the world was created;ⁿ in Tishrei the Patriarchs were born;ⁿ in Tishrei the Patriarchs died; on Passover Isaac was born; on Rosh HaShana Sarah, Rachel, and Hannah were remembered by God and conceived; on Rosh HaShana Joseph came out from prison;