



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Beitzah Daf Chuf Zayin

- **R' Yehuda Nesia** had a bechor with a mum. He sent it to **R' Ami** on Yom Tov to determine if the mum was permanent. **R' Ami** did not want to examine it (in accordance with **R' Shimon**). **R' Zrika** said, when there is a machlokes between **R' Shimon** and **R' Yehuda**, we pasken like **R' Yehuda**! **R' Yehuda Nesia** then sent the bechor to **R' Yitzchok Nafcha** to examine, and the scene repeated itself with him. **R' Abba** asked **R' Zrika**, why didn't you let the **Rabanan** conduct themselves in accordance with **R' Shimon**? **R' Zrika** said, why do you think they should? **R' Abba** answered, because **R' Zeira** said the Halacha follows **R' Shimon**. A talmid who was there said, I wish I can go and ask **R' Zeira** myself. This talmid went to Eretz Yisrael and asked **R' Zeira** if he paskened that way. He answered that he felt **R' Shimon's** shita made more sense, and is quoted as being the view of the **Chachomim** in a Braisa, but he had never actually paskened that way.
  - **Q:** How do we pasken? **A:** **R' Yosef** says, we can learn that **R' Meir** held like **R' Shimon** (in which case **R' Yehuda** is the minority opinion). We can learn this because **R' Meir** says in a Mishna that if one shechts a bechor and afterwards has the mum examined, the animal may not be eaten. We see that he holds that unlike checking for a treifah, a mum must be checked while still alive. We can determine from this, that the mum examination establishes the permitted status (which is why it could not be done on Yom Tov), whereas the treifah examination just confirms kosher status (which is why it could be done on Yom Tov).
    - **Q:** **Abaye** asked, **R' Meir** says the animal is assur in that Mishna as a penalty for having shechted before the examination. It has nothing to do with the fact that it must be done while alive!?
- **Ami of Vardina'ah** was the bechor examiner for the Nasi's house. He would not examine a bechor on Yom Tov. When told about this, **R' Ami** said he was acting properly.
  - **Q:** **R' Ami** himself would examine a bechor on Yom Tov!? **A:** He would examine the bechor before Yom Tov and on Yom Tov he would ask the owners how the mum came about.
    - We find that **Rava** did this as well. He once looked at a mum on Erev Yom Tov, and then told the owner to come back the next day. When he returned he asked him to give the circumstances of how the mum came about. The owner explained that it happened on its own, without even any indirect involvement by the owner (which we learn from a pasuk would be assur).

### MISHNA

- An animal that died on Yom Tov may not be moved (it is muktzeh). It once happened that **R' Tarfon** was asked regarding moving a dead animal, and moving challah that had become tamei. He asked in the Beis Medrash and was told that they may not be moved.

### GEMARA

- **Q:** It seems that our Mishna does not follow **R' Shimon**, because he says in a Braisa that a dead animal may be cut up for one's dog on Shabbos!? **A:** **R' Shimon** would agree that if a healthy animal died, it would be muktzeh (since the person did not have in mind to use it in this way) and may not be moved.
  - **Q:** There is a view that **R' Shimon** allows the moving of healthy animals that died on Shabbos as well!? **A:** According to that view, we will have to say that our Mishna is

discussing a dead animal of kodashim, which is assur b'hana'ah. This would also explain why the Mishna discusses dead animals and challah in the same statement – because both are kodashim.

- **Q:** This would suggest that if it was not an animal of kodashim it would be mutar. That does not work according to the view that **R' Shimon** says that healthy animals that died may not be moved!? **A:** Our Mishna is discussing a sickly animal that is deathly ill. All would agree that when such an animal dies, it may be moved.

#### MISHNA

- On Yom Tov, one may not join into a group that was going to divide and purchase an animal that was to be shechted. However, one may join such a group on Erev Yom Tov, and the animal may then be shechted on Yom Tov and divided.

#### GEMARA

- **R' Yehuda in the name of Shmuel** said, the Mishna means to say that one may not set a price for the animal on Yom Tov (however, one may enter a group even on Yom Tov as long as price is not discussed).
  - **Q:** How can the price be determined after Yom Tov? **A: Rav** said, on Yom Tov the butcher brings a comparable animal and shows all of the group that the 2 animals are comparable. When all agree, he then goes ahead with shechting the one animal. The second animal is then given a value after Yom Tov, and payments for the shechted animal are made based on that value.
  - A Braisa also says, that the problem with joining into a group purchase on Yom Tov is only if money and value are discussed.