



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

Bava Kamma Daf Ayin Ches

- **Q:** The Gemara quoted **Rava**, who said that whenever the pasuk uses the word "seh" it means to exclude klayim. What case is this teaching needed for? Regarding korbanos we learn to exclude klayim from the extra word "oy". Regarding maaser we learn a gezeirah shava on the word "tachas" from korbanos to exclude klayim there as well. Regarding a bechor we learn a gezeira shava from maaser to exclude klayim, or we can learn it from the fact that an animal that looks like a different species than its mother is excluded from bechor, so surely klayim is excluded. Based on all this, where is **Rava's** teaching needed!? **A:** It is needed for "peter chamor" (redemption of a firstborn donkey), as a Mishna teaches, that the redemption may not be done with an animal of klayim.
 - **Q: R' Elazar** argues in the Mishna and says that klayim may be used, so according to him, what is **Rava's** teaching needed for? **A: R' Elazar** will say it is needed to exclude a specific type of klayim – where a kosher animal was impregnated by a non-kosher animal, and gave birth to a non-kosher looking animal. This would not follow **R' Yehoshua**, because he learns this exclusion from the pasuk of "sei kvasim v'sei izim", which he darshens to teach that both parents must be kosher animals.
- **Rava** asked, if a person said "harei alai olah" and separated an ox for this purpose, and a ganav then stole this animal. If the ox has been lost, can the ganav give the owner a lamb or a bird to be brought as an olah in its place (which is less expensive), because the owner will fulfil his promise to bring an olah by bringing these animals, or can the owner say, "I wanted to do the mitzvah in the best possible way (with a more expensive animal)"? **Rava** then answered, that the ganav could just give a lamb or bird in its place.
 - **R' Acha the son of R' Ika** quoted this view as a statement from **Rava** (rather than as a question and answer).

MISHNA

- If a ganav sold the animal but retained 1% for himself, or if he was a partner in the animal before he stole his partner's share, or if he stole and shechted the animal and the shechita was improper causing it to be a neveilah, or if he slits the neck down the length or rips out the trachea or esophagus, in all these cases he would have to pay keifel, but would be patur from paying daled v'hey.

GEMARA

- **Q:** What part of the animal can be part of that 1% holdback that would make it be considered as not entirely sold? **A: Rav** said, it must be something that the shechita would make mutar, and **Levi** said, even if he only left over the shearings for himself, he would be patur from daled v'hey. A Braisa says like **Levi** as well.
 - **Q:** A Braisa says, if the ganav sold the animal except for its hand, its foot, its horn, or its shearings, he would be patur. **Rebbi** says, if he left off the sale something that if missing would make the shechita passul, he is patur. **R' Shimon ben Elazar** says, if he left out its horn he would be patur, but if he left out its shearings he would be chayuv. Now, **Levi** can hold like the **T"K**, but who will **Rav** hold like!? **A:** He will hold like **R' Shimon ben Elazar** in a Braisa, who says that if he sold it except for an arm or a leg, he is patur, but if he sold it except for its horn or its shearings he is chayuv.
 - **Q:** What is the basis of the machlokes? **A:** The **T"K** holds "utvacho" and "micharo" refer to a complete shechita and a complete sale. If anything is left out he would therefore be patur. **Rebbi** holds that "utvacho" clearly refers to something that is needed to make a valid shechita, and we learn "micharo" from there to teach that it too refers to

