



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

Bechoros Daf Tes Zayin

- The Gemara quoted a Braisa which said in part, that if a korban got a mum after it was made kadosh and was then shechted outside the Azarah, the shochet would be patur. **R' Huna's** version of the Braisa said that the person would be chayuv. He said the Braisa is referring to a mum like cataracts, which **R' Akiva** says one would be chayuv for shechting outside, since it is the type of mum for which an animal would not be taken off the Mizbe'ach if it was already brought up onto it.
- The Braisa also said that such an animal can create temurah before its redemption and after it. **R' Nachman in the name of Rabbah bar Avuha** said, if a temurah was created based on this animal after its redemption, the temurah animal is left to die. The reason is that it can't be offered is because it comes from kedusha that was rejected. It also can't be redeemed, because its kedusha is not strong enough to allow for redemption.
 - **Q: R' Amram** asked, this temurah should be allowed to be eaten by the owners when it gets a mum just like the temurah of a bechor and of maaser!? **A: Abaye** said, the temurah of a bechor and maaser are treated as a bechor and maaser, which may be eaten by their owners when they get a mum. The temurah of the redeemed korban is treated like the korban and therefore may not be eaten with a mum unless they are redeemed. Since, as explained, they cannot be redeemed, they may not be eaten by their owners.
 - A Braisa says like **R' Nachman**. The Braisa says, how do we know that the temurah of a passul korban (that had a mum and was redeemed) is left to die? The pasuk says "maalei hageira...tamei", which teaches that there is a kosher animal that may not be eaten, and refers to this temurah.
 - **Q:** That pasuk is needed to teach regarding the 5 chataos that are left to die!? **A:** The 5 chataos are learned from "mimafrisei haparsa...tamei". In fact, a Braisa says that as well.
 - **Q:** The 5 chataos are learned from a Halacha L'Moshe MiSinai!? **A:** The pasuk is needed for the case of the temurah of an asham, which must be left to graze until it gets a mum and is then redeemed.
 - **Q:** We learn from a Halacha L'Moshe MiSinai that any time a chatas must be left to die, in the corresponding case of an asham it would be left to graze, to get a mum, and to then be redeemed!? **A:** The pasuk is in fact needed for the 5 chataos that are left to die. We need the pasuk and the Halacha L'Moshe MiSinai for this. If we only had the pasuk we would have said that they should be left to graze and get a mum. The Halacha L'Moshe MiSinai therefore teaches that they should be left to die. If we only had the Halacha L'Moshe MiSinai we would have said that b'dieved if someone ate these chataos he has committed an issur, but not a lav. The pasuk therefore teaches that there is a lav as well. **A2:** The 5 chataos are referred to in the pasuk to create a hekesh between them and the temurah of a korban that was redeemed, to teach that just as the chataos are left to die, these temuros are left to die as well.

MISHNA

- If a Yid accepts animals as a "tzon barzel" arrangement from a goy (the goy provides the animals for a business venture, the two of them share the profits, but the goy is guaranteed the return of the value of the animals that he is providing into this arrangement), the offspring are patur from bechor (when the offspring, i.e. the second generation of the original animal, of the

original animal have firstborns, those firstborns are patur from bechor). However, the offspring of those offspring (if there are third generation animals that have been designated to the Yid and they then have firstborns), these are chayuv in bechor. If the Yid said that the goy can collect his guaranteed payment from the offspring of the original animal if the original animal died, then even the offspring of this offspring are patur from bechor when they have a firstborn, but the offspring of the offspring of the offspring will be chayuv when they have a firstborn. **R' Shimon ben Gamliel** says, even up to 10 generations of animals are patur, because they are pledged to the goy for his payment.

- If a sheep has a firstborn that looks like a goat, or if a goat has a firstborn that looks like a sheep, it is patur from bechor. However, if it looks like its mother even a little bit, it is subject to bechor.

GEMARA

- **Q:** The Mishna seems to say that in a tzon barzel arrangement, as long as the owner of the property has not yet received payment, the property is still considered to be in his possession (as we see that the Mishna says it is patur from bechor). However, another Mishna says that one may not enter into a tzon barzel arrangement with another Yid because it would constitute ribbis – this means it is considered to be in the possession of the partner who is not the owner!? **A: Abaye** said, our Mishna is discussing where the owner kept responsibility for oneis and for depreciation, and that is why the animal is considered to still be in his possession. The other Mishna is discussing where he did not keep those responsibilities, which is why it is no longer considered to be in his possession.
 - **Q: Rava** asked, if he retains that responsibility that would not be called a tzon barzel arrangement!? Also, if there are different types of tzon barzel arrangements, how can the Tanna generalize about them!? Also, in that second Mishna, when it wants to give a case where the arrangement is mutar it says that it is mutar to enter into such an arrangement with a goy. Based on what **Abaye** said, the Mishna should give the case of where the investor retains the responsibility for oneis and depreciation!? **A:** Rather, **Rava** said, both Mishnas are discussing where he did not retain responsibility for oneis and depreciation. In our Mishna the reason that it is patur from bechor is that if the goy is not paid his money he will repossess the animal, and if the animal is not available he will repossess the offspring. Therefore it is considered to be a case of where the hand of the goy is involved, and whenever the hand of a goy is involved it is patur from bechor.

HE'EMID VLADOSEYHEN TACHAS IMOSEYHEN VLADEI VLADOS PITURIM

- **R' Huna** said that the original animal's offspring are patur from bechor, but the offspring's offspring is chayuv. **R' Yehuda** said that the offspring's offspring is patur, but the offspring's, offspring's offspring is chayuv.
 - **Q:** Our Mishna said, if the Yid said that the goy can collect his guaranteed payment from the offspring of the original animal if the original animal died, then even the offspring of this offspring are patur from bechor. This seems to say this is only so when the Yid used the offspring for guarantee of the payment, but if he did not it would be chayuv. This refutes **R' Yehuda**!? **A: R' Yehuda** would say that the halacha would be the same even if the Yid did not say that collection can be from the offspring. The Mishna is teaching that whether the Yid says so or not, the result will be the same – offspring's offspring is patur, but the offspring's, offspring's offspring is chayuv.
 - **Q:** Our Mishna said, **R' Shimon ben Gamliel** says even up to 10 generations of animals are patur, because they are pledged to the goy for his payment. According to **R' Yehuda**, who says that the **T"K** said that multiple generations of offspring are patur, it makes sense why **R' Shimon** then said that even up to 10 generations are patur. However, according to **R' Huna** who said that the **T"K** says it is only one generation that is patur, **R' Shimon** should have stated his argument by saying that even the next generation is patur as well!? **A: R' Huna** would say that **R' Shimon** is going on the case of where the Yid said that the goy could collect payment from the offspring, in which case even the **T"K** agrees that it is multiple generations that are patur.
 - **Q:** Our Mishna said, if a Yid accepts animals as a "tzn barzel" arrangement from a goy the offspring are patur from bechor, but the offspring of the offspring are chayuv. This refutes **R' Yehuda**!? **A: R' Yehuda** would say to change the Mishna to say that "they and their offspring (the third generation) are patur from bechor".

- **Others** said that our Mishna says, “they and their offspring are patur” (referring to the third generation). This refutes **R’ Huna**!? **R’ Huna** would say that the Mishna should be read to say that the original animal and its offspring are patur, but the third generation would be chayuv.