



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

Bechoros Daf Yud Zayin

RACHEL SHEYALDA MIN EIZ...

- **R' Oshaya** came from Neharda'ah and taught a Braisa that said, with regard to a sheep that was born to a goat, and a goat that was born to a sheep (a mutated offspring), **R' Meir** said it is chayuv and the **Chachomim** said it is patur. **R' Hoshaya** said to **Rabbah**, when you go to **R' Huna** ask him, what halacha does **R' Meir** say it is chayuv in? It can't be for bechor, because surely **R' Meir** darshens the pasuk of "ach bechor shor" to teach that a mutated offspring is patur! It also can't be regarding reishis hageiz, because surely he holds of the Braisa of the **Tanna Divei R' Yishmael** which said that it does not apply to goat-like hair!? **R' Huna** answered, the Braisa is referring to where the mother was a sheep, the father was a goat, and the offspring looked like a goat, and the machlokes in the Braisa is whether we concern ourselves with the species of the father for purposes of oso v'es beno – **R' Meir** says that we do and the **Rabanan** say that we do not.
 - **Q:** If this is the machlokes, why don't they simply argue about that directly!? **A:** Rather, the Mishna is discussing the halacha of bechor, and the Braisa is discussing a case where a goat had an offspring that looked like a sheep, which then had its own offspring that also looked like a sheep. **R' Meir** says we follow the mother and this offspring is therefore not mutated and is subject to bechor. The **Rabanan** say that we also look to the grandmother, and by doing so we categorize this sheep as mutated and therefore not subject to bechor. **A2:** We can say the case is that a sheep had offspring that looked like a goat, which then had offspring that looked like a sheep. **R' Meir** says that the grandchild is considered to be looking like its true species and is therefore not mutated, and the **Rabanan** say that it is mutated compared to its mother and is therefore patur. **A3:** The case is where the offspring looked like the mother at least a little bit. **R' Meir** says that is enough to make it chayuv in bechor and the **Rabanan** is the view of **R' Shimon** who says it is not chayuv unless its head and most of its body looks like the mother.
 - **R' Yochanan** said, **R' Meir** would agree that the goat used for the Rosh Chodesh korban must be a goat born to a goat. This is based on the pasuk which refers to it as "echad", which teaches that it must be the one that is distinct all the way back to Creation.
 - **Q:** This is not learned from that pasuk, it is learned in a Braisa the pasuk of "shor oy chesev" which excludes kilayim, "oy eiz" which excludes a mutated animal!? **A:** If we only had the pasuk of the Braisa we would say that it is only passul when it doesn't look like its mother, but if it does, then even if it looked like a species different than its grandmother it would be valid. That is why we need the other pasuk. If we only had the pasuk of "echad" we would say that a mutated animal is only problematic for an obligatory korban like that of Rosh Chodesh, but not for a nedava. Therefore we need the Braisa as well.
 - **R' Acha bar Yaakov** said, all agree that the wool of the mutated offspring of a sheep would not make one chayuv for shatnez if he wore it with linen. The hekesh in the pasuk between "tzemer" and "pishtim" teaches that just as linen is always of nonmutated, pure pedigree, the same must be for the wool.
 - **R' Pappa** said, all agree that such wool would be passul to be used as techeiles for tzitzis. This is based on the hekesh of shatnez to tzitzis.
 - **R' Nachman bar Yitzchak** said, all agree that such wool could not become tamei with tzaraas. This is based on the pasuk of "b'begeg tzemer oy b'begeg pishtim" which creates a hekesh between the linen garments and the wool garments...

- **R' Ashi** said, based on this, if someone had a grapevine hang over a fig tree the wine produced with those grapes would be passul for nesachim. This is based on the pasuk of "zevach unesachim", which creates a hekesh between korbanos and the nesachim and teaches that just as the korban can't be mutated, the same is true for the wine.
 - **Q: Ravina** asked, would this even be true for a grapevine that was hanging over a thorn bush? If so, we can also find a case of linen that is considered "mutated" – when it grew over a thorn bush!? **A: R' Ashi** said, the wine of such a grapevine will have a different fragrance than regular wine, whereas such flax has the same fragrance as regular flax.

MISHNA

- If a sheep has never given birth and then gives birth to two males and their heads emerge at the same time, **R' Yose Haglili** says both of them must be given to the Kohen, as the pasuk says "hazecharim (plural) LaShem". The **Chachomim** say it is impossible that they were born at exactly the same moment and therefore only one must be given to the Kohen and the other may be kept by the owner.
 - **R' Tarfon** says that the Kohen chooses the better of the two for himself and **R' Akiva** says the difference between the value of the two babies is split between the Kohen and the owner. The animal that is kept by the owner is allowed to graze until it gets a mum and may then be shechted and eaten. The animal would be chayuv in the gifts, but **R' Yose** says it would be patur.
 - If one of the babies died, **R' Tarfon** says they divide the remaining baby between them, and **R' Akiva** says "hamotzi meichaveiro alav haraya" and the Kohen therefore gets nothing.
- If the twin babies that were born together are a male and a female, the Kohen does not get anything.

GEMARA

- The **Divei R' Yannai** said, we have heard that according to **R' Yose Haglili** it is possible to say that things happened at exactly the same moment even in matters controlled by Heaven (the birth of two babies) and certainly this can be said about things done by people. According to the **Rabanan** who say that we can't say this regarding matters controlled by Heaven, would we say this regarding matters done by people? **A:** Maybe we can answer from a Mishna that says that there was a chut hasikra (a red line) that encircled the Mizbe'ach at its midpoint, which would separate between the "upper bloods" and the "lower bloods". Now, if matters done by people can't be exact, that would mean that bloods that are supposed to be above the midpoint would sometimes be put below the midpoint, and visa-versa! It must be that this can be exact!
 - The Gemara says this is not a proof. It may be that the red line was made wide enough to give allowance to a point which was definitely above and below the midpoint.
 - **Q:** Maybe we can answer from the required measurements of the keilim and the Mizbe'ach. It must be that they were made exactly to size!? **A:** It may be that the Torah required that it be done to the best of our ability and didn't actually require it to be 100% exact.
 - **Q: R' Katina** said, a Braisa discusses an earthenware oven that breaks in two pieces and says that even if they seem to be in equal sizes we must treat them as being of unequal size. We see that even in matters done by people we cannot say that we can get to an exact same amount!? **A:** A broken earthenware keili is different, because the jagged edges make it difficult to measure.
 - **Q:** A Mishna says that **R' Eliezer** says, if a murder victim is found to be exactly equidistant between two cities, they must each bring an eglah arufah. This must mean that he holds that with matters done by people we can say that we can get to an exact amount and he holds that when the pasuk says "krova" (the closer city) it includes even multiple cities that are closest!? **A:** It may be that **R' Eliezer** follows **R' Yose Haglili** who holds that it is possible to say that things happened in an exact way in matters controlled by Heaven and certainly this can be said about things done by people.

- **Q:** Maybe we can say that this is the subject of a machlokes among Tanna'im. A Braisa says, if a murder victim is found to be exactly equidistant between two cities they would not do the eglah arufah process. **R' Eliezer** says both cities would bring an eglah arufah. Maybe we can say that the **T"K** holds it is not possible to be exact and **R' Eliezer** holds that it is? **A:** If that is true, why wouldn't they bring an eglah arufah according to the **T"K**? The two cities should together bring one and then stipulate that it should be counted for whichever city is truly closer!? Rather, it must be that all agree that it is possible to be exact. The machlokes is whether we say that the pasuk of "krova" teaches that only the single nearest city brings it, but if there is more than one nearest city an eglah arufah is not brought, or does it mean that even if there are multiple closest cities we would bring multiple eglah arufos.
- **Q:** How do we ultimately come out regarding this issue? **A: R' Chiya bar Avin in the name of R' Amram** said, a Braisa says, if a murder victim is found to be exactly equidistant between two cities **R' Eliezer** says they must each bring an eglah arufah, but the **Chachomim** say the two cities should together bring one and then stipulate that it should be counted for whichever city is truly closer. Now, if the **Rabanan** hold that it is possible to be exact and the pasuk of "krova" means to include even multiple cities, then they should say that each city should bring its own eglah arufah!? If they hold that "krova" means an eglah arufah is only brought when there is a single closest city, then neither city should bring an eglah arufah!? Rather, it must be that the **Rabanan** hold that it is not possible to be exact even when dealing with matters of people. **SHEMAH MINAH!**