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

Bechoros Daf Lamed Aleph

- A Braisa says, if ahm haaratzim say they have changed with teshuva and want to now be trusted, **R' Meir** says we can never accept them as being trusted. **R' Yehuda** says, if they did teshuva privately, we can't trust them. If they did teshuva publicly, we can trust them. **Others** say that **R' Yehuda** meant, if their aveiros had been done privately, we can trust them, if not, we cannot. **R' Shimon and R' Yehoshua ben Korcha** said, in all cases we accept them, as the pasuk says "shuvu banim shovavim". **R' Yitzchak of Kfar Akko in the name of R' Yochanan** said, the halacha follows this pair (i.e. **R' Shimon and R' Yehoshua ben Korcha**).
- A Braisa says, initially they said that if a chaver was appointed as a tax collector he loses his status as a chaver, and even if he is no longer a tax collector we don't accept him as a chaver again. They later said that if he is no longer a tax collector we treat him like every other person and he may be accepted again.
    - **R' Huna bar Chiya** was needed as the Rosh Hayeshiva. **Rabbah and R' Yosef** took 400 pairs of chachomim to go and offer him the position. When they got there they heard that he had been the tax collector and therefore didn't want to offer it to him anymore. **R' Huna bar Chiya** said that he no longer held that job. **R' Yosef** still refused to offer the position to him based on the Braisa that says that even if he is no longer a tax collector we don't accept him as a chaver again. **Rabbah** went to offer the position to him based on the Braisa that said that they later said that if he is no longer a tax collector we treat him like every other person and he may be accepted again.
- A Braisa says, a Kohen may view and pasken on all bechoros regarding a mum, except a bechor that belongs to him. A person may view and pasken regarding a mum on his own kodashim, and his own animal maaser, and may pasken regarding his own taharos.
    - **Q:** The Braisa can't be discussing where the person by himself wants to pasken regarding the mum on his bechor, because a Mishna says that a Beis Din of 3 is needed!? If it refers to where he is one of the 3, why would we suspect that the mum was judged improperly? A Mishna says that a chochom who oversaw a mi'un or a chalitza may marry that woman since he is only one of a Beis Din of 3!? **A:** The case is that he was acting alone in accordance with the ruling of **R' Chisda in the name of R' Yochanan** who said that a single expert may pasken on a mum by himself.
    - The reason he may pasken on his kodashim is because if he was looking to make it mutar to be shechted not on the Mizbe'ach he could simply have been matir neder.
    - The reason he may pasken on his animal maaser is because if he was looking to make it mutar to be shechted not on the Mizbe'ach he could simply have given all his animals a mum before taking maaser from them.
    - The reason he may pasken on his taharos is because even if they are tamei he may eat them on days that he himself is tamei, and he is therefore not facing a loss if they are indeed tamei.

HADRAN ALACH PEREK AHD KAMAH!!!

PEREK KOL PESULEI HAMUKDASHIN -- PEREK CHAMISHI

MISHNA

- With regard to all passul korbanos, (since their upside goes to hekdesh) they may be sold in the market, may be shechted in the market, and may be weighed with a litra weight, except for a bechor and maser, because their upside goes to their owners, whereas the upside of the other

passul korbanos goes to hekdesh. One may weigh one piece of meat against another even in the case of a bechor.

GEMARA

- **Q:** Is the Mishna referring to before the korbon is redeemed or after? It can't be referring to after the redemption, because then the Mishna wouldn't say that their upside goes to hekdesh, and it can't be referring to before the redemption, because the Mishna would not say that it can be shechted before it is redeemed since according to one view it must stand and be evaluated before it is redeemed!? **A:** The Mishna is referring to after they are redeemed and when the Mishna says their upside goes to hekdesh it is referring to the money of the redemption. The Mishna means to say that since we permit it to be sold in the market, shechted in the market, and weighed with a litra weight, it will be redeemed for more money, which will bring upside to hekdesh.

CHUTZ MIN HABECHOR UMIN HAMAASER…

- **Q:** It makes sense that in the case of the bechor it may not be sold in the market but may be sold in his house. However, how can the Mishna say that a maaser may be sold in his house? A Braisa says that "lo sifdeh" written regarding bechor teaches that it may be sold live but not dead, and "lo yiga'el" written regarding maaser teaches that it may not be sold even live!? **A: R' Sheishes** had this difficulty one night as well and in the morning answered based on a Braisa that the Mishna is referring to the maaser animals of orphans regarding which the **Rabanan** were lenient and allowed it to be sold so as to prevent the orphans from suffering a loss. **R' Idi** repeated this ruling without mentioning that it was said by **R' Sheishes** and **R' Sheishes** was upset, because **R' Yochanan in the name of R' Shimon ben Yochai** said, that when something is said in the name of a talmid chochom after his death, his lips move in his grave.
    - The Braisa used for **R' Sheishes's** answer is explained by **Abaye** to say that the animal maaser of orphans may be sold along with its skin, cheilev, sinews, and horns and the buyer pays an inflated price for these items and pays nothing for the meat.
        - **Q:** This suggests that this method of sale could not be used for one who is not an orphan. Why is this different than the case of an esrog during shmitta, regarding which **R' Huna** said that one may sell the lulav for an inflated price and then give the esrog as a gift? **A:** When the price of a lulav is inflated to include the price of the esrog it is not so noticeable. When the price of the skin, cheilev, sinews, and horns are inflated to include the price of the meat it is noticeable.
        - **Rava** asked, that the words of the Braisa do not fit well with the explanation of **Abaye**. Therefore, **Rava** said that the Braisa is actually talking about two different cases – the animal maaser of orphans may be sold in the regular way (even when not sold with the skin, etc.) and the animal maaser of other people may be sold along with the skin, etc. **Rava** said, the pasuk regarding maaser says "v'haya hu usmuraso yihiyeh kodesh lo yiga'el", which teaches to compare maaser to temurah, that just as temurah only takes effect while the animal is alive, so too the issur of selling the maaser is only when the animal is alive, but after it is shechted it may be sold. The **Rabanan** came along and were goizer against the regular selling of the animal after shechita so that one not come to sell it before the shechita – when it is assur D'Oraisa. The **Rabanan** were only goizer against selling the meat, because that is used to evaluate an animal while it is alive. They were not goizer against selling the skin, etc., because those are not things used to evaluate an animal while it is alive. When dealing with orphans the **Rabanan** were not goizer at all
            - **R' Shmuel bar R' Yitzchak** darshened a pasuk to teach like **Rava**, that the animal maaser of orphans may be sold in the regular way of selling.
        - **Q:** What is the halacha with regard to selling the meat along with the bones (rather than the skin, cheilev, sinews, or horns)? **A: R' Chiya and R' Shimon the son of Rebbi** argue – one says it may be done and one says it may not be done.
            - They don't argue, the one who says it may not be done is referring to small animals (whose bones have little value), and the one who says it may be done is referring to large animals (whose bones have value).

- We can also say that they are both referring to large animals. The one who says it may not be done is referring to the place where he lived (where bones were not used for things of value), and the one who says it may be done is referring to where he lived (where bones were used for things of value).