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

Bechoros Daf Lamed Zayin

MISHNA

- If one shechted a bechor and sold the meat and it was then determined that he never showed the bechor's mum to an expert, even if the buyer already ate some of the meat, the seller must return the entire purchase price to the buyer. Whatever was not eaten must be buried and the purchase price is returned.
- Similarly, if someone shechted a cow and sold it and it then became known that it was a treifa, whatever was eaten was eaten, and whatever was not eaten should be returned to the seller, and he must return the purchase price to the buyer. If the buyer did not eat the meat, but rather sold it to a goy or fed it to the dogs, the seller must only pay for the difference in price between kosher meat and treifa meat.

GEMARA

- A Braisa says, if someone sold meat and it was then found to be of a bechor that was never examined by an expert, or if he sold produce and it was found to be tevel, or wine and it was found to be yayin nesech, whatever was eaten was eaten, and the seller must return the purchase price to the buyer. **R' Shimon ben Elazar** said, if what was eaten is something that people find repulsive the money would have to be returned, but if it is something that people don't find repulsive only the amount of money above the value of the food would have to be returned. The following are the things that people find repulsive – neveilos, treifos, shekatzim, remasim. The following are things that people don't find repulsive – bechoros, tevel, and yayin nesech.
    - **Q:** In the case of the bechor why should the buyer be responsible for anything at all? He should be able to tell the seller that a bechor that was shechted without a psak from an expert must be buried, and if so, the buyer's eating of the meat caused the seller no loss at all!? **A:** The case is where the buyer purchased the part of the meat that had the mum, and the seller can therefore tell him – had you not eaten that meat I could have showed the mum postmortem to an expert and gotten a psak that it was mutar, in accordance with the view of **R' Yehuda**!
        - With regard to tevel the seller could say – had you not eaten it I would have taken maaser from it and made it mutar!
        - With regard to yayin nesech the case is where the wine was mixed with kosher wine, and follows the view of **R' Shimon ben Gamliel** who says that the mixture can be sold to a goy excluding the value of the yayin nesech that is in it.

HADRAN ALACH PEREK KOL PESULEI HAMUKDASHIN!!!

PEREK AHL EILU MUMIN -- PEREK SHISHI

MISHNA

- A bechor may be shechted based on the following mumin – if the ear is nicked in the cartilage, but not if it was only nicked in the skin; if the ear was split even if nothing was missing; if there was a hole the size of a "karshina" bean; or if it was dried up. What is considered to be "dried up"? Anything that would not bleed if it was pierced. **R' Yose ben Hameshulem** says, it must be so dry that it crumbles when touched.

GEMARA

- **Q:** The pasuk says "piseyach oy iver" (lame or blind) are mumin of the bechor, so why do these others listed in the Mishna make it mutar as well? **A:** The pasuk of "ki yihiyeh bo mum" comes to include other mumin.
    - **Q:** Maybe say that "ki yihiyeh bo mum" is a klal and "piseyach oy iver" is a prat, which limits the klal to the prat!? **A:** The pasuk says "kol mum rah", which is another klal and makes it into a klal, prat uklal, in which case we include other things that are like the prat – just as the prat are clearly mumin that are exposed and are permanent, so too all mumin that are clearly mumin that are exposed and are permanent are included.
        - **Q:** Maybe instead say that just as the prat are clearly mumin that are exposed, prevent the area of the mum from doing its function, and are permanent, so too, the only other mumin that will be included are mumin that are clearly mumin that are exposed, prevent the area of the mum from doing its function, and are permanent!? We know this is not the case, because our Mishna includes the mum of the nicked ear even though that does not prevent the ear from being able to hear!? **A:** The pasuk of "kol mum rah" is an inclusionary phrase which comes to include even more mumin.
            - **Q:** If so we should even include mumin that are not exposed, and yet a Mishna says that they are not!? **A:** If the mum is hidden from view it is not considered to be a "mum rah".
            - **Q:** If so we should even include mumin that are not permanent, and yet our Mishna says that they are not!? **A:** The fact that a temporary mum does not allow it to be shechted is based on logic – if an animal of kodashim can't be redeemed based on such a mum as is taught by a Braisa, it can't be that a bechor can be shechted based on it. **A2:** If even a temporary mum would allow for shechita, what would be the purpose of the words "piseyach oy iver"?

NISDIKA AHF AHL PI SHELO CHASRA

- A Braisa says, a split of any size is a mum. A nick is a mum whether it happened from the Hands of Heaven or by human hands. [**Q:** Is that to suggest that a split that happened from the Hands of Heaven is not considered to be a mum? **A:** Rather, the Braisa should be read as saying – a split and a nick are a mum whether they happened from the Hands of Heaven or by human hands.] How large must a nick be? Large enough that a fingernail that passes over it would get caught.

NIKVAH MELO…

- A Braisa says, how large must a hole be to allow the bechor to be shechted? The size of a karshina bean. **R' Yose the son of R' Yehuda** says, the size of a lentil. What is considered to be "dried up"? Anything that would not bleed if it was pierced. **R' Yose ben Hameshulem** says, it must be so dry that it crumbles when touched.
    - A Braisa says, these views are actually very close to being the same thing.
        - **Q:** Which views? It can't be referring to the views of the **T"K** in his machlokes with **R' Yose ben Hameshulem**, because they are not near being the same thing!? **A:** Rather, it is the views of the **T"K and R' Yose the son of R' Yehuda**.
    - **Q:** A Braisa that discusses the piercing of the ear of an "eved ivri" seems to say that **R' Yose the son of R' Yehuda** holds that doing so makes the slave into a baal mum, which is why it may not be done to an eved ivri that is a Kohen, and he also says that it may be done with a needle, which means that a hole even smaller than the size of a lentil is considered to be a mum!? **A: R' Chana bar Katina** said, in order to shecht a bechor he holds the hole must be the size of a lentil, but in order for it to be a mum to make it passul for the Mizbe'ach (or to make a Kohen passul for the Avodah) even a smaller hole would be sufficient.
- **R' Hoshaya** asked **R' Huna Rabbah**, does the Mishna mean the hole has to be large enough for a karshina to pass through it freely or does it mean that it has to be large enough for it to be wedged into it? He answered, I have not heard the answer to that, but I have heard a ruling that is similar to it. The ruling is based on a Mishna that discusses how much of a human skull must be missing in order for it to be considered as incomplete and therefore incapable of giving off tumah. The Mishna brings a machlokes between **B"S** who say it is the size of a drill, and **B"H** who are explained to say it is the size of a selah. The Gemara asked based on another Mishna

that the hole of a drill and the size of a selah are one and the same!? **R' Chisda** answered that maybe we can say that the hole of the drill refers to a hole that it is a bit larger, because it refers to a hole that is large enough to allow the drill to pass through easily. [We see that when we say the hole in the ear of the bechor must be the size of a karshina, it means that it is large enough for the bean to pass through freely.] **R' Tachlifa** then said, don't say that "maybe" we should say this, rather it is certainly what is meant by "the hole of the drill", and you can rely on this like you can rely on **Chizkiya the father of Ikesh**, who said in a Braisa in the name of **R' Gamliel Hazakein**, any earthenware keili that does not have a hollow inside does not have separate outside, and therefore if the inside becomes tamei the outside becomes tamei as well, and if the outside becomes tamei the inside becomes tamei as well.