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

Bechoros Daf Samach Aleph

- **Q: Rava** said, that when two animals exit the pen together when he is up to counting number 10, they are considered to be maaser and shelamim mixed together. One Braisa says that the two animals must be left to graze until they get a mum (the shelamim is redeemed via a stipulation, since we don't know which is the shelamim, and the animals may then be eaten). Another Braisa says they are both offered as korbanos (with the chumros of a shelamim). A third Braisa says they are both left to die. The Braisos seem to be contradictory!? **A:** The first Braisa follows the view of the **Rabanan** who say that we may not do something to a korbon that will increase the chances of becoming passul (and since a shelamim may only be eaten by Kohanim, if we treat the maaser like a shelamim we are increasing the chances that there will be nossar). The second Braisa follows the view of **R' Shimon** who says we are not concerned for this. The third Braisa follows the view of **R' Yehuda** who says that an animal mistaken as the tenth is considered to be temurah, and he also holds that the temurah of maaser must be left to die.
    - **Q:** Does **R' Yehuda** really hold that the temurah of maaser must be left to die? Our Mishna said that **R' Meir** responded to **R' Yehuda** – the 11th animal which was called "the tenth" can't be a temurah because if it was a temurah it would not be offered on the Mizbe'ach! Now, this suggests that **R' Yehuda** holds it is offered on the Mizbe'ach even though he says it is the temurah of maaser!? You can't say that **R' Meir** is only talking according to his own view, but the view of **R' Yehuda** is that it will not be offered, because a Braisa says that **R' Yehuda** holds that the only difference between this 11th that was called "the tenth" and a korbon shelamim is that a shelamim can create a temurah that will be offered on the Mizbe'ach whereas the 11th that was called "the tenth" cannot. This suggests that its temurah will not be offered, but this animal itself is offered!? Also, a Braisa in Sifra says that the pasuk of "ihm min habakar" comes to teach that the 11th animal that was called "the tenth" is offered like a shelamim. We know that an anonymous Braisa in Sifra is **R' Yehuda**, so we see that he holds it is offered!? **A:** Rather, **R' Shimon the son of R' Abba** explained before **R' Yochanan** that the Braisa is referring to nowadays (when there is no Beis Hamikdash) and the reason **R' Yehuda** holds the mixed animals must be left to die is out of concern that if they are left alive one will work or shear them while waiting for them to get a mum, and will be oiver an issur.
        - **Q:** If this is the reason, why does the Braisa say this only applies when there are two animals – it should even apply when there is even one animal of maaser!? **A:** The Braisa means to say that certainly when there is one animal, and the financial loss is therefore limited, it will have to be left to die. Even more, when there are two animals, when the financial loss is greater, they will still both have to be left to die.
- If someone told a shaliach to take animal maaser from his animals for him, **R' Papi in the name of Rava** said, if the shaliach then made a mistake and called the ninth "the tenth" it becomes kadosh, but if he called the 11th "the tenth" it does not become kadosh. **R' Pappa in the name of Rava** said, even if the shaliach made a mistake and called the ninth "the tenth" it does not become Kadosh, because the owner of the animals can tell the shaliach – I sent you to do good for me, not to harm me (and therefore an action taken that harms him is not considered to have been done on his behalf).
    - **Q:** A Mishna says, that if one made a shaliach to separate terumah for him and the shaliach separated more or less than the owner wanted him to separate as terumah, the separation is a valid separation. We see that a shaliach's actions are not voided based on a mistake!? **A:** That is true in the case of terumah, because since different people

separate different amounts for terumah the shaliach can say that he thought that the owner is the type of person to give the amount that he had separated. However, in the case of the maaser it was an outright error and that is why the owner can tell him – I did not appoint you to make errors and therefore your actions cannot be said to have been done on my behalf.

HADRAN ALACH PEREK MAASER BEHEIMA!!!

HADRAN ALACH MESECHTA BECHOROS!!!

MAZAL TOV!!!