

21 Iyar 5779  
May 26, 2019



Bechoros Daf 39

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**  
**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

The Gemara further enquires: But suppose it is given after the meal, what then?<sup>1</sup> Also, do we give it [the treatment] before drinking or after drinking? — It certainly does it more good before drinking, like barley.<sup>2</sup> But suppose it is given after drinking?<sup>3</sup> [When it is given the treatment] should it be tied, or must it be unloosened?<sup>4</sup> — It certainly does it more good when it is unloosened. But suppose it is given when it is tied? Also, [do we give it the treatment] when it is by itself or together with another [animal]?<sup>5</sup> — It certainly does it more good when it is together with another. But suppose it is given when it is by itself? Further, [do we give it the treatment] in the city or in the field?<sup>6</sup> — It certainly does it more good in the field. But suppose it is given in the city? Rav Ashi inquired: If you will say that [it is preferable] in a field, what is the ruling as regards a garden adjacent to a field?<sup>7</sup> Let all this stand unresolved.

The Mishnah had stated: Rabbi Chanina ben Antigonus said: [We must examine it three times in the eighty days.] Said Rav Nachman bar Yitzchak: Provided that the cure is administered at three<sup>8</sup> intervals [during the eighty days].

Pinchas the brother of Mar Shmuel inquired of Shmuel: If the bechor [ate this for a cure] and did not get better, is it considered a blemish retrospectively or is it considered a blemish only from then onwards? What is the practical difference? For deciding whether the law of me'ilah applies to redemption money,<sup>9</sup> [if it is redeemed within the three months]. If you say therefore that it<sup>10</sup> is a disqualifying blemish retrospectively, then he commits me'ilah.<sup>11</sup> But if it counts as a blemish only from then onwards, there is no me'ilah. What is the ruling? — Shmuel applied [to Rav Pinchas] the verse: The lame take the prey.<sup>12</sup>

MISHNAH: If its nose is perforated, nipped, or slit, or its upper lip perforated, mutilated, or slit [these are disqualifying blemishes].

GEMARA: Our Rabbis have taught: If the partitions of the nostrils are perforated right through from the outside, this is a disqualifying blemish, if the perforation is inside,<sup>13</sup> it is not considered a blemish.<sup>14</sup>

<sup>1</sup> Do we regard this as a satisfactory test so that if it is not cured the defect is pronounced a disqualifying blemish.

<sup>2</sup> It being the custom of kosher animals to eat barley before drinking, as it does them more good than after drinking.

<sup>3</sup> Do the fresh and dry fodder have any good effect?

<sup>4</sup> The animal being more content when it eats in such a condition.

<sup>5</sup> Enjoying its food better in company.

<sup>6</sup> The animal preferring the open space of the field.

<sup>7</sup> Where the animal is fed with fodder (fresh and dry) for a cure. Does it enjoy the air here as well as in a field?

<sup>8</sup> That it is examined for example, to-day and at the end of twenty-six and a half days, then further at the end of twenty-six and a half days and subsequently at the end of the period of twenty-seven days. There

is usually a change at these three particular periods, and consequently if he did not examine the animal at these specific times, then we cannot declare that the animal had a permanent blemish.

<sup>9</sup> If it is used for a secular purpose.

<sup>10</sup> The defect of the dripping eye.

<sup>11</sup> If he has derived a benefit from the redemption money and he must bring a suitable sacrifice.

<sup>12</sup> The verse states something almost incredible, viz., that the lame take prey. Similarly although Shmuel was the much greater scholar than Pinchas, yet the latter asked him a question which he confessed was beyond him.

<sup>13</sup> The partition which divides the nose inside.

<sup>14</sup> For it is in a hidden part.

If its upper lip which is perforated, mutilated, or slit. Said Rav Pappa: The outer line [edge] of its lip is meant.

MISHNAH: If the incisors are broken off or levelled [to the gum] or the molars are torn out [completely], [these are disqualifying blemishes in a bechor]. But Rabbi Chanina ben Antigonus said: we do not examine behind the molars,<sup>15</sup> nor the molars themselves.<sup>16</sup>

GEMARA: Our Rabbis have taught: Which are the molars? Inside from the molars, the molars themselves being considered like the inside. Rabbi Yehoshua ben Kafutzai says: We are permitted to slaughter the bechor in consequence only of [a defect in] the incisors. Rabbi Chanina ben Antigonus says: We pay no attention whatever to the molars. What does it mean? Moreover, isn't the view of Rabbi Yehoshua ben Kafutzai the same as that of the first Tanna [quoted above]? — There is missing words [in the Baraisa] and it should read thus: Which are regarded as the inside teeth? Inside from the molars, and the molars themselves, are all regarded as the inside teeth. When does this rule apply? When they were broken off or levelled [to the gum], but if they were torn away [completely], we may slaughter [the bechor as a consequence]. Rabbi Yehoshua ben Kafutzai says: We must not slaughter [the bechor] except in consequence of the incisors [becoming defective]. But if the molars were torn away [completely], we must not in consequence of this, slaughter [the bechor], though they do disqualify.<sup>17</sup> Rabbi Chanina ben Antigonus, however, says: We do not pay any attention whatever to the molar teeth and they do not even disqualify.

Rav Achadvoi bar Ammi asked: Does [the law of] the loss of a limb apply to what is inside [an animal], or does [the law of] a loss of a limb not apply to the inside [of an animal]? To what does this query refer? If to a bechor, doesn't Scripture write:

'Lame or blind'?<sup>18</sup> If to a sacrificial animal, doesn't Scripture write: 'Blind or broken'?<sup>19</sup> I am not inquiring as regards slaughtering<sup>20</sup> or redeeming [a sacrificial offering].<sup>21</sup> My inquiry relates to disqualifying [the animal from the altar]. "What is the ruling? The Merciful One says: It shall be perfect to be accepted. This implies that if it is 'perfect' then it is valid [as a sacrifice], but if there is anything missing [even inside the animal], then it is not so. Or shall I say while the text 'It shall be perfect to be accepted', is inclusive, the text 'There shall be no blemishes therein' [informs us] that as a blemish is from the outside, so anything must be missing from the outside [in order to disqualify the animal]? — Come and hear: [Scripture says]: 'And the two kidneys' implying that an animal with one kidney or with three kidneys [is not offered up]. And another [Baraisa] taught, [Scripture says]: 'He shall remove it' which includes a sacrificial animal possessing one kidney only, [as fit for the altar]. Now, all [the authorities concerned here] hold that a living creature is not created with one kidney only, and in the case here there was a definite loss of a kidney. Shall it therefore be said that this is the point at issue, that one Master holds that a deficiency inside the animal is considered a loss [which can disqualify], whereas the other Master holds that a deficiency inside the animal is not considered a deficiency [to disqualify]?

Said Rav Chiya bar Yosef: All [the authorities] agree that a living creature can be created with one kidney only, and the deficiency inside is considered a deficiency; and still there is no difficulty. In one case,<sup>22</sup> we are dealing with an animal which was created with two [kidneys] and there was a loss [of a kidney], whereas in the other case, it speaks of where it was created originally with one kidney only [and therefore the animal was not disqualified from the altar]. But isn't the case [of one kidney]<sup>23</sup> stated to be similar to the case of three kidneys; consequently as three kidneys were created originally, so one

<sup>15</sup> As in those teeth a defect is not recognized either when the animal caws or bleats.

<sup>16</sup> If they were completely torn out, as it is not a blemish from the inside.

<sup>17</sup> The animal for offering up on the altar, and he must wait until another blemish occurs, after which he may slaughter it.

<sup>18</sup> Implying that only open defects are disqualifying blemishes.

<sup>19</sup> Again implying that only open defects are regarded as blemishes.

<sup>20</sup> A bechor, in consequence of a loss inside the animal.

<sup>21</sup> For to such an extent it would not be a blemish.

<sup>22</sup> The Baraisa which disqualifies an animal where there is the loss of a kidney.

<sup>23</sup> In the Baraisa where it says that an animal with one kidney or three kidneys is disqualified.

kidney was created originally?<sup>24</sup> Rather the point at issue here is whether a living creature can be created [with one kidney only]. One Master holds that a living creature can be created with one kidney only [and therefore an animal with one kidney is permitted for the altar] whereas the other holds that a living creature cannot be created with one kidney only.<sup>25</sup>

Rabbi Yochanan however said: All agree that a living creature [cannot be created] with one [kidney] only, and that the deficiency [of a limb] inside an animal is considered a deficiency. And still there is no difficulty [as regards the two Baraisos above]. In one case, the loss took place before it was slaughtered,<sup>26</sup> and in the other, after the slaughtering.

But even if the loss took place after the slaughtering, only before the blood was received [in a vessel] is it permitted [to offer it]? Hasn't Rabbi Ze'ira said in the name of Rav: If one makes a slit in the ear of the bull and subsequently receives its bloods, it is disqualified, as it is written in the Scriptures: And he shall take of the blood of the bullock, [implying] the bullock as it had been before? Rather [the explanation] is that in one case,<sup>27</sup> the loss took place before the blood was received, and in the other after the blood was received. But is a defect in the sacrifice after the blood was received, but before the sprinkling permitted? Has it not been taught: [Scripture says]: Your lamb shall be without blemish, a male of the first year. [This intimates] that it must be unblemished and a year old at the time of slaughtering.

From where do we infer that the same rule applies at the time of the receiving of the blood, its carrying [to the altar] and its sprinkling? Because the text states: 'It shall be', [implying] that

it must be unblemished and a year old in all the phases [of the sacrificial rite]? — Explain this to refer only to the law of a year old.<sup>28</sup> It also stands to reason,<sup>29</sup> for it was taught: Rabbi Yehoshua said: In all the sacrificial animals mentioned in the Torah, if there is left [a piece of flesh] the size of an olive or [a piece of fat] the size of an olive, the blood may be sprinkled,<sup>30</sup> it stands proved.

But does there exist an object which at the time of slaughtering is a year old and at the time when the blood is received and carried is two years old? — Said Rava: This proves that [even] hours disqualify in the case of [sacrifices].<sup>31</sup>

Shall we say [that Rav Achadovi's query above] goes back to Tannaim? [For it was taught, Scripture says]: That which had its testicles bruised or crushed or torn or cut, all these blemishes must be in the testicles. This is the view of Rabbi Yehudah. [Do you say] 'in the testicles' but not in the membrum virile?<sup>32</sup> — Read then: Also in the testicles. This is the view of Rabbi Yehudah. Rabbi Eliezer ben Yaakov says: All these blemishes must be in the membrum. Rabbi Yosi however says: 'Bruised or crushed' can be in the testicles also, whereas 'torn or cut' in the membrum is [a blemish], but in the testicles is not [a blemish]. What does it mean? Does it not mean that the point at issue is that one Master holds that a deficiency inside [the animal] is considered a deficiency, whereas the other Master holds that a deficiency inside [the animal] is not considered a deficiency! But do you consider this as reasonable? What in this case does Rabbi Yosi hold? If he holds: A deficiency inside [an animal] is considered a deficiency, then 'torn or cut' should apply [to all parts]. And if he holds: A deficiency inside [an animal] is not

blood. If, however, nothing remains, then there cannot be any sprinkling. We thus see that if everything is lost except the size of an olive of flesh and fat, we can still conclude the sacrificial rite. Therefore the statement that 'in all phases it must be perfect' quoted in the Baraisa just mentioned, can only refer to the law of its being a year old.<sup>31</sup> Hence, for example. if the lamb was born last year on the fourteenth of Nisan at the eighth hour, he must be careful to slaughter and sprinkle its blood before the ninth hour, for the ninth hour disqualifies it and it is as if it had entered the second year.

<sup>32</sup> Surely since the latter is more open and visible a blemish in it should certainly disqualify.

<sup>24</sup> And still it disqualifies the animal.

<sup>25</sup> And therefore if we find only one kidney, we say that the animal originally possessed two kidneys and has been deprived of one, thereby becoming disqualified from the altar.

<sup>26</sup> The loss therefore disqualifies the animal from the altar.

<sup>27</sup> When it says that a loss inside the animal disqualifies.

<sup>28</sup> But as regards the rule of being unblemished, this is only necessary at the slaughtering and receiving of the blood.

<sup>29</sup> That the loss after receiving the blood does not disqualify the animal.

<sup>30</sup> For since the size of an olive remains of the flesh, which is sufficient for the eating of a man, and the size of an olive of fat, which is adequate for burning on the altar, we may proceed to sprinkle the

considered a deficiency, then even 'bruised or crushed' should not apply [to all parts]! Rather [explain that] the point at issue here is whether they are open blemishes.<sup>33</sup> Rabbi Yehudah holds: 'Bruised or crushed' are blemishes because [the testicles or membrum] shrink afterwards. 'Torn or cut' are blemishes because they are hanging.<sup>34</sup> Rabbi Eliezer ben Yaakov, however, holds: 'Bruised or crushed' are not blemishes, for originally [when the animal is well] they also sometimes shrink. 'Torn or cut' are not blemishes, for originally [when the animal is well] they sometimes also hang. And Rabbi Yosi holds: 'Bruised or crushed' are blemishes, for they are not in existence now. 'Torn or cut' however, are not blemishes because they are still in existence.

**MISHNAH:** [Other blemishes are] if the bag is mutilated or the genitals of a female animal in the case of sacrificial offerings: if the tail is mutilated from the bone but not from the joint; or if the top end [root] of the tail divides the bone or if there is flesh between one joint and another [in the tail] to the amount of a finger's breadth.

**GEMARA:** Rabbi Elozar said: [The Mishnah particularly means a bag] which is mutilated, but not if it is removed.<sup>35</sup> [The mutilation also only applies to] the bag, but not to the membrum itself. It has been taught likewise: [If the bag was] mutilated [it is a blemish], but not if it was removed. [The mutilation applies to] the bag and not to the membrum. Said Rabbi Yosi ben haMeshullam: It happened at Ein-Bul that a wolf took [the whole bag] of one and it returned to its normal condition.

If the tail is mutilated from the bone etc. A Tanna taught: The measurement of a finger's breadth mentioned [by the Sages] is one-fourth of any man's handbreadth, [i.e., a thumb's breadth]. What is the legal ramification of this? Said Rava: It is in connection with the techeiles. For it has been taught: How many threads does he put into [the hole of the corner for tzitzis]? Beis

Shammai say: Four; whereas Beis Hillel say: Three. And how far must the threads of the tzitzis hang down [beyond the border]? — Beis Shammai say: Four finger-breadths, whereas Beis Hillel say: Three finger-breadths. And the three finger-breadths mentioned by Beis Hillel are each equal to one of the four finger-breadths of any man's hand.

Rav Huna son of Rav Yehoshua says: [The measurement of a fingerbreadth here mentioned has reference to] the two standard-cubits, as we have learnt: Two standard-cubits were deposited in [the gate called] the Castle of Shushan, one in the north-east corner, and the other in the south-east corner. That in the northeast corner was larger than the Mosaic cubit by half a finger's breadth and that of the south-east corner was larger than its companion by half a finger's breadth. Consequently the latter was a finger's breadth larger than the Mosaic cubit. And why were there a large and small standard-cubit? So that while the workmen used to undertake their tasks according to the smaller cubit [of Moshe] but executed in accordance with the large, in order that it should not come to commit me'ilah. And what need was there for two standard-cubits? — One standard-cubit [which was half a finger's breadth larger than that of Moshe] was used for measuring gold and silver and the other [which was a whole finger's-breadth larger] was used for building [the wall].

Rav Nachman bar Yitzchak or you may say Rav Huna bar Nassan, said: [The exact measurement of a finger's breadth mentioned above has] reference to what we have learned: Or if there is flesh between one joint and another to the amount of a finger's breadth.

<sup>33</sup> All unanimously hold that a loss of a limb inside the animal is considered a loss, and the reason of the authority who disqualifies the testicles is not because it is considered a loss but because it is regarded as a blemish.

<sup>34</sup> Knocking against the bag and being visible outside, since not attached above.

<sup>35</sup> For then it can return to its normal condition.