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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

Hair of a Blemished Bechor

Rish Lakish said that all agree that the hair of blemished *bechor* – *first born* which wasn’t formally permitted by an expert is forbidden.

The *Gemora* suggests that this is a dispute of *Tannaim* in a *braisa*. The *braisa* says that if one pulled wool out of an unblemished *bechor* is prohibited, even if it subsequently became blemished and was slaughtered. However, if he pulled wool out of a blemished *bechor* which then died, Akavya ben Mehalalel permits it, while the Sages still prohibit it. Rabbi Yehuda says that Akavya and the Sages do not differ in that case, but rather in the case of hair of a blemished *bechor* which fell out, and was put aside, and then the *bechor* was slaughtered. Rabbi Yossi says that his father, Chalafta, one of the Sages, agree that this hair is permitted, and they therefore said that one should put aside hair that fell out, as perhaps it will be permitted if he slaughters the *bechor*. However, if the *bechor* died, the Sages prohibit the hair, while Akavya permits it. The *Gemora* notes that Rabbi Yossi seems to be the same position as the first opinion in the *braisa*. The *Gemora* suggests that they differ on whether an expert must first permit the *bechor*. The first opinion says that it is only permitted if an expert already permitted it, while Rabbi Yossi says that it is permitted regardless.

Rava deflects this, maintaining that all agree that the expert must first permit it. The three opinions in the *braisa* about Akavya and the Sages’ dispute are:

1. The first opinion says that the Sages and Akavya differ both in the case of a *bechor* that died and one that was slaughtered. He mentions the case of dying, to show the extent of Akavya’s lenient position.

2. Rabbi Yehuda says that if it dies, all agree that it is prohibited, and they dispute only the case of a slaughtered *bechor*.
3. Rabbi Yossi says that if it is slaughtered, all agree that it is permitted, and they dispute only the case of one that died.

The table below illustrates Rava’s explanation:

Opinion	<i>Bechor</i> died		<i>Bechor</i> slaughtered	
	Sages	Akavya	Sages	Akavya
First opinion	Prohibited	Permitted	Prohibited	Permitted
Rabbi Yehuda	Prohibited		Prohibited	Permitted
Rabbi Yossi	Prohibited	Permitted	Permitted	

(26a)

Ruling like Rabbi Yehudah

Rav Nachman says that we rule like Rabbi Yehuda, as the *Mishna* in Edeyos, the choice *Mishnayos*, follows his opinion.

Rav Nachman bar Yitzchak supports this from our *Mishna*, which concludes with the case of wool that is dangling from a *bechor*. It rules that the dangling wool that is seen to be mixed in with its shearing is permitted, but if it is visible on its own, it is prohibited. Rav Nachman bar Yitzchak explains that the only way to understand this ruling is following Rabbi Yehuda’s version of the Sages:

1. According to Rabbi Yossi, if the *bechor* was slaughtered, all agree that any hair is permitted, even if separated from the shearing. If the *bechor* died, the skin and its attached hair are prohibited, as it must all be buried. Therefore, the Sages prohibit all hairs, whether

attached or detached, while Akavya would prohibit the attached hairs, and any that appear detached, the opposite of the *Mishna's* ruling.

2. According to Rabbi Yehuda, if the *bechor* died, all prohibit the hairs. If the *bechor* was slaughtered, Akavya permits all hairs, attached or not, and visible or not.

Therefore, this section of the *Mishna* is a case of a slaughtered *bechor*, and follows the Sages, as explained by Rabbi Yehuda, who say that the detached hair is Rabbinically prohibited. Therefore, whatever is visibly separate is prohibited, while the rest is permitted. (26a)

Hair of an Olah

Rabbi Yanai asked whether one can benefit from hair that one removed from an unblemished *olah*. The *Gemora* clarifies that if one removed the hair, he has violated a prohibition, and we would obviously prohibit the hair. Rather, the question is about hair that fell off the *olah*.

The *Gemora* explains that the hair of a *chatas – sin* and *asham – guilt* sacrifices are definitely permitted, as the owner will want to offer them quickly, to atone, and we are therefore not concerned that they will delay to get the hairs that fall off. Similarly, the hairs from a *bechor* and *ma'aser* animal are definitely prohibited, as the owner has no reason to offer them quickly, and he may therefore delay to get the hairs. Rabbi Yanai's question was specifically about an *olah*, which is fundamentally given as a voluntary gift, but does atone for positive commandments one did not fulfill. Do we say that the owner will not delay, to accomplish the atonement, or do we say that they will delay, as they voluntarily donated it?

The *Gemora* attempts to resolve this from the *braisa* cited earlier, which states that if one pulled out hair from an unblemished *bechor*, it is prohibited, even if it then became blemished and was slaughtered. The *Gemora* infers from the *braisa* that if the hair fell out, it is permitted. If it is permitted even in the case of *bechor*, it should definitely be permitted in the case of an *olah*.

The *Gemora* deflects this, saying that the *braisa* teaches the case of one who pulled out the hair, to show the extent of Akavya's lenient position. The *Gemora* explains that the *Mishna* teaches the case of hair that fell out, to show the extent of the Sages' stringent opinion, while the *braisa* teaches the case of one pulling out the hair, to show the extent of Akavya's lenient position. (26a – 26b)

Dangling Hair

The *Gemora* asks what the criterion is to determine if a dangling hair is considered visible on its own. Rabbi Elozar quotes Raish Lakish saying that it is considered visible if its root is pointed out, towards its head. Rav Nasan bar Hoshaya says that it is considered visible if it does not get mashed up with the rest of the shearing, but sticks out. Rabbi Ila explains that Raish Lakish does not agree with Rav Nasan's definition, as any shearing always has loose hair which stick out, and that definition would prohibit any shearing. (26b)

WE SHALL RETURN TO YOU, HALOKEI'ACH BEHEIMAH

Caring for the Bechor

The *Mishna* discusses how long a non-Kohen who has a *bechor* born to his animal must care for it before giving it to the Kohen. He must care for a small animal for thirty days, and for a big one for fifty days. Rabbi Yossi says that he must care for a small animal for three months. If a Kohen requested that he give him the *bechor* during this time, he may not. However, he may give it to him, if the Kohen requested that he give him a blemished one for him to eat, or a non-blemished one to sacrifice (*in the time of the Bais Hamikdash*). A *bechor*, blemished or not, must be eaten within its first year, as the verse says that one should eat it "year by year". If the *bechor* became blemished within the first year, he may keep it for the whole year. Afterwards, he may only keep it for thirty days.

The *Gemora* asks how we know how long the owner must care for the *bechor*. Rav Kahana says that it is from the verses:

1. You should not delay your first fruit (*bikurim*), you should give me (i.e., redeem) your first born sons.
2. So you should do to your cattle and sheep; for seven days it should be with its mother, and on the eighth day you should give it to me.

These teach us that the first born sheep (*a small animal*) is given after thirty days, like the age at which a first son is redeemed, and the first born cattle (*a big animal*) is given after fifty days, like the time one waits to bring the first fruits (*from ripening on Pesach to brining on Shavuos*).

The *Gemora* asks why we assign the times this way, as opposed to fifty days for sheep, and thirty days for cattle.

The *Gemora* suggests that we assign the first of the first verse to the first of the second verse, and the second to the second, but the *Gemora* deflects that, as perhaps we should assign the end of the first verse to the start of the second, since they are adjacent.

Rava concludes that the verse uses the word *ta'aseh* – you should do next to the word “cattle,” teaching that there is more to do for cattle.

The *Gemora* asks why we do not therefore say that one must wait sixty days, adding an extra unit of thirty on top of the time for a small animal.

The *Gemora* concludes that we must say that the verse authorized the Sages to define how long the owner must care for the *bechor*, and they chose the times listed in the *Mishna*.

The *Gemora* cites a supporting *braisa*, which cites these verses, including the larger time for the cattle indicated by *ta'aseh*, and then says that the Sages are authorized to determine the times.

The *braisa* cites Rabbi Yossi who says that one must care for a small animal for three months, because its care is harder, and its teeth are softer, so it must stay with its mother for longer. (26b)

Asking for Gifts

The *Mishna* said that one may not give the *bechor* to a *Kohen* who asks for it early. Rav Sheishes explains that such a *Kohen* is considered one who is aiding in the threshing floor, in order to pressure the owners to give him the gifts.

The *Gemora* cites a *braisa*, which states that a *Kohen*, *Levi*, or poor person who aid in the threshing floor, with shepherds, or in the butcher shop, may not receive any of the relevant gifts as payment. If they did so, they desecrated, and they are referred to by the verse which states that “you have destroyed the treaty of the *Levi* tribe”, and also the verse which commands that “you should not desecrate the sanctified items of *Bnai Yisroel*, and you won’t die.”

The *Gemora* explains that the *braisa* cited the second verse to teach that they not just desecrate, but also die.

The *braisa* continues, saying that the Sages wanted to fine these people, and require the owner to separate new *terumah*.

The *Gemora* explains that they did not fine them, lest people think that their produce is truly obligated in the gifts, and then separate from it on other produce which is obligated.

The *braisa* continues, saying that the owner does have the right to decide to whom to give the gifts. Therefore, a non-*Kohen* may ask the owner to give the gifts to his relative (*a Kohen*), and even pay him to do so. However, a *Kohen* may not pay the owner to do this, since it would appear as if he is selling the gifts, which he could collect himself, to his relative. (26b – 27a)

INSIGHTS TO THE DAF

Hair of an Olah

Rabbi Yanai asked what the rule is for hair which fell off of an unblemished *olah*.

Rashi explains that the case is one where the *olah* subsequently got a blemish and was redeemed, making it similar to the case of the blemished *bechor*.

Tosfos (26a hatolesh) explains that the case is an *olah* which was sacrificed, and the question is whether the process of offering the *olah* removes the prohibition of *me'ila* – misuse from the removed hair, just as it does to the animal itself.

Tosfos questions Rashi's explanation, as one would have to stand the hairs in front of the *Kohen* to redeem them.

Tosfos suggests that the hairs of an *olah*, which itself had inherent sanctity, are automatically redeemed when the *olah* itself is redeemed. This is in contrast to animals consecrated for their value, whose redemption does not automatically apply to its shearing.

Tosfos challenges his own explanation, as the question of whether the offering of the *olah* removes *me'ilah* from items previously may be an existing debate of Amoraim in Zevachim (86a).

Terumah, again?

The *Gemora* (26b) says that the Sages would have required one who gave *terumah* to a *Kohen* who aided in the threshing to give another *terumah*, but they did not, lest the person consider his produce obligated in *terumah*, and separate from it on other produce which is obligated.

Tosfos (26b dilma) notes that there are other cases where the Sages did require one to take *terumah* again, and were not concerned with this issue.

Tosfos says that in those cases, the owner knows that the first *terumah* was technically valid, since the *Kohen* who received it does not return it. However, in this case, the owner may think that the *terumah* was invalid, yet the *Kohen* is keeping it only as wages.

DAILY MASHAL

In the days where we are counting the Omer, the following story seems appropriate: The great Chassidic Rebbe, **Reb Dov Ber of Radoshitz**, was traveling across the Polish countryside. Night fell, the roads would soon be unsafe, and so he directed his wagon driver to stop at the first Jewish inn that they could find. In a short while, they had pulled up in front of a small Jewish tavern. The owner welcomed them in warmly, helped them with their bags, fed and watered their horse, and prepared for Reb Dov Ber a special room reserved for traveling rabbis and noblemen. After praying the evening prayer, Reb Dov Ber retired to his chambers and to bed, tired after the long day's journey. Soon the house was quiet, the fields outside still. Only the occasional barking of a lone farm dog broke the silence of the night. And yet . . . the clock on the wall -- it was ticking in the most amazing way; it wouldn't let Reb Dov Ber sleep. He tossed and turned in his bed. He got up and started pacing the room. Verses from the Books of the Prophets flooded his mind, songs of deliverance and hope. He tried to lie down again, but the clock kept ticking, until he was forced to rise from bed once more. Thus he spent the night, pacing the room in anxious anticipation.

In the morning, the tired but exhilarated rabbi approached the inn-keeper. "Where did you get that clock in the room?" he asked. "That clock? Well, several years ago another rabbi stayed in the room, **Reb Yosef of Turchin**, the son of that *tzaddik*, the **Seer of Lublin**. He came for only one night, but the weather turned bad and he was forced to stay for several days. In the end, he found that he did not have enough money to pay the bill, so he covered the difference by giving me that clock. He said that he had inherited it from his father."

"Now I understand why I couldn't sleep," said Reb Dov Ber. "Most clocks in the world only cause depression, for they count the hours that have passed -- another day lost, another opportunity gone by. But the clock of the holy Seer of Lublin counts the time that is coming - - another minute closer to the final redemption, another second nearer the age of universal peace."