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Semichah

The *Mishnah* had stated: If many of the same type of sacrifices were mixed together, and they had different owners, each should be offered for one of the owners.

The *Gemara* asks: But doesn't each *korban* require *semichah* (*the owner places his hands on the head of the sacrificial animal before it is slaughtered and leans on it with all his weight*) by its true owner?

Rav Yosef answers: It is referring to the sacrifices of women (*whose korbanos do not require semichah*).

The *Gemara* notes: But regarding sacrifices of men, they could not be offered!

Abaye asked Rav Yosef from the following *Baraisa*: If a private sacrifice became intermingled with another private sacrifice, or if a public sacrifice became intermingled with another public sacrifice, or if a private and public sacrifice became intermingled, he should make four blood applications from each sacrifice on the altar. [*If they are chatas offerings, they should make one application on each horn; if they are olos, they should make two applications that are four.*] If he made only one blood application from each sacrifice, the sacrifices are valid (*b'dieved*). And if he made four applications from all the sacrifices together, the offerings are valid. These laws only apply if the animals became intermingled while they were still alive. If they became intermingled after they were slaughtered, he should make four blood applications from the entire mixture (*and he is not required to make separate applications, for this Tanna maintains that the blood from all the animals gets thoroughly mixed into the vessel, and the applications will contain blood from both korbanos*). If he made one application from all of the blood, they are valid. Rebbe says: One analyzes the amount of blood applied (*in a case where he made only one*). If there was enough blood for each sacrifice, they are valid. Otherwise, they are invalid. (*Abaye continues*) The case of the *Baraisa* is regarding individuals and the public. This indicates that just as the public sacrifices belong to men (*for the men were the ones who donated the shekalim*), so too the sacrifices of the individuals that got mixed up belong to men. [*Even so, the fact that semichah is not done is not an issue!*]

Rava answered: Do you think that the case really is, as the simple translation indicates, where the animals were intermingled while alive (*before semichah*), but not when intermingled after being slaughtered? What is the difference between the two cases? [*Rashi explains the question. Why shouldn't we require four applications from each cup of blood if the blood from each animal went into a separate cup? Why is their being intermingled after the slaughtering a reason not to require four applications from each cup?*]

Rather, Rava explains: The *Baraisa* means as follows. When are these laws said? They are said in a case where

the cups of blood from each animal that was slaughtered were intermingled (*with the blood in each cup being from one animal*) in a way that is like they are alive. [*Just as the animals are separate entities when they are alive, and we are unsure which is designated for which sacrifice, so too the cups are separate, but we are unsure which cup is from which sacrifice.*] However, if the blood from all of them was mixed together, he makes four applications for all of them. If he does one application from all of the blood, they are valid. Rebbe says: One analyzes the amount of blood applied (*in a case where he did only one application*). If there was enough blood for each sacrifice, they are valid.

The *Gemara* asks: Does Rebbe indeed hold this way? The *Baraisa* states: Rebbe says that according to Rabbi Eliezer, even a small sprinkle (*from the water mixed with the ashes of the red heifer used to purify people who come in contact with the dead*) causes a person to become pure, as sprinkling does not need a certain amount. This is even if part of the amount sprinkled is invalid. [*This shows that similarly, the amount of blood applied should not be a factor according to Rebbe. Why did he insist on analyzing the amount of blood in our Baraisa?*]

The *Gemara* answers: Perhaps this statement Rebbe made was only according to Rabbi Eliezer, and is unlike the actual opinion of Rebbe. Alternatively, the *Gemara* answers: Perhaps Rebbe's statement in the name of Rabbi Eliezer was only regarding the water of the red heifer, not regarding blood applied on the altar. (74b3 – 75b1)

Mixed up Bechor

The *Mishnah* discussed a case of other sacrifices becoming intermingled with *bechor* and *ma'aser*.

Rami bar Chama says: A *bechor*, according to Beis Shamai, cannot be fed to a *niddah* (*even after the destruction of the Temple, and after it has developed a blemish*).

The *Gemara* asks: What is the law regarding a *temurah* (*an exchange*) of such a *bechor*?

A *bechor* cannot be redeemed. What is the law regarding a *temurah* (*an exchange*) of such a *bechor*?

The *Gemara* states: A *bechor* cannot be weighed to be sold by the litra (*pound*). [*The Mishnah in Bechoros 31a explains that we do not allow a bechor etc. to be denigrated for the benefit of the person who receives the money when it is sold. This is as opposed to other sacrifices that are sold, as their proceeds go to hekdesh. We therefore allow them to be sold by weight, in order for hekdesh to get the best value.*]

The *Gemara* asks: What is the law regarding a *temurah* of a *bechor*?

Rava answers: The *Baraisa* states that the laws of *temurah* apply to a *bechor* and *ma'aser* animal after they develop a blemish, and this animal of *temurah* has the same laws as the *bechor* etc. (75b1)

Rami bar Chama inquired: If a *Kohen* donated a *bechor* which developed a blemish to the Temple treasury, can it be weighed and sold by the litra? Do we prefer that *hekdesh* make the most profit (*and therefore allow an exact measured sale*), or do we say that the denigration of the *bechor* takes precedence (*and we therefore do not allow it to be weighed*)?

Rabbi Yosi bar Zevida answers this question from a *Baraisa*. The *Baraisa* states: If they were intermingled with *bechor* and *ma'aser*, they should be put out to graze until they develop a blemish, and be eaten like *bechor* and *ma'aser*. This indicates that they should not be weighed and sold by the litra.

Rav Huna and Rabbi Chizkiyah, who were the students of Rabbi Yirmiyah, said: These cases are not similar! In the case where other sacrifices became intermingled with a *bechor*, we do not weigh the meat because they are two different entities with two different degrees of holiness. [*Rashi explains that the bechor is not supposed to be weighed, as technically its money goes to the owner. Accordingly, we do not weigh any of the animals.*] However, in our case there is only one animal in question, with two different categories of holiness (*bechor and hekdesh*). [*Being that hekdesh would benefit from weighing the meat, it is possible that this should override the normal law that we do not weigh a bechor.*]

Rabbi Yosi bar Avin asked: If someone would say that he wants to redeem a *bechor* with a blemish that was dedicated to *hekdesh* in order to benefit from its wool and work for a lot of money, would we listen to him?! [*Since the answer is obviously no, it should be the same with regard to selling it by weight!?*]

The *Gemara* explains why the inquiry is still valid: The Torah says it should not be redeemed! However, to weigh its meat is not a Torah prohibition (*and should be permitted in order to benefit hekdesh*).

Rather, Rabbi Ami answers this question with the following logic. The *Kohen* only gave this animal to *hekdesh* along with the rights that he had in the animal. [*Being that he did not have the rights to weigh it, hekdesh also does not have the right to weigh it.*] (75b1 – 75b2)

Intermingled Korbanos

The *Mishnah* states that every sacrifice could technically become intermingled with another sacrifice, besides a *chatas* with an *asham*.

The *Gemara* asks: What is special about a *chatas* and an *asham*? It must be that one (*olah*) is male and one (*chatas*) female (*and therefore we can tell which is which*). If this is the difference, the same could be said about an *olah* and a *chatas*! [*Why did the Mishnah specify an asham and chatas?*]

The *Gemara* answers: The goat of a *Nasi* brought as a *chatas* is male, and is therefore similar to the *olah*.

[*The Shitah Mekubetzes inserts the following question.*] The *Gemara* asks: The same similarity applies to a *chatas* (*of a Nasi*) and an *asham*!?

The *Gemara* answers: A goat has hair, while a ram has wool. [*Being that an asham is a ram, it cannot be mixed up with the goat, which is the chatas of the Nasi. An olah, on the other hand, can also be a goat.*]

The *Gemara* asks: A *pesach* offering and *asham* cannot mix, as the *pesach* offering can only be in its first year, while an *asham* is in its second year!

The *Gemara* answers: An *asham metzora* and *asham nazir* are both in their first year.

Alternatively, the *Gemara* answers: Some animals that are in their first year appear like they are in their second year, and some that are in their second year look like they are in their first year. (75b2 – 75b3)

Mishnah

If an *asham* became intermingled with a *shelamim*, Rabbi Shimon says that both should be slaughtered in the northern part of the Courtyard. They should be eaten like the more stringent of the two (*only male Kohanim should eat them in the Courtyard for one day and night, as per the laws of an asham*). They said to him: We do not bring

kodashim to becoming invalid early (*the meat from the shelamim will be ruled unfit a day early*)! If pieces of sacrifices became intermingled, or if *kodshei kodashim* became intermingled with *kodashim kalim*, or if sacrifices eaten for one day were intermingled with those eaten for two days, they should be eaten like the more stringent of the group. (75b3)

Shortening its Time

It was taught before Rav: One cannot purchase *terumah* with money that has holiness of *shemittah*, because this causes the *terumah* to be eaten for less time (*as shemittah must be burned when the zman bi'ur arrives*).

The Rabbis said before Rabbah: This is unlike Rabbi Shimon, as Rabbi Shimon says that the *shelamim* could be brought, despite the fact that it will have to be eaten for less time!?

Rabbah answered: This could even be according to Rabbi Shimon. Rabbi Shimon only issued his ruling in a case where the animals were already intermingled. However, he would not allow people from the outset purchase *terumah* with *shemittah* money. (75b3 – 75b4)

INSIGHTS TO THE DAF

Saying Mizmor Lesodah on the Eve of Tishah B'Av

The songs said in *pesukei dezimrah* include Chapter 100 of Tehillim, "A Song of Thanks." The Ashkenazic custom is not to say *mizmor lesodah* on *Shabbos* and holidays, the eve of *Yom Kippur*, the eve of *Pesach* and during *Chol HaMoed* of *Pesach* because at those times the *todah* is not offered.

The *Tur* (*O.C.* 281) dismisses this reason when he says, "…it is not a major reason" as the reason for saying the song is to give thanks to Hashem and not to commemorate bringing the *todah* offering.

At any rate, Rashi's *sidur* (§417) mentions that we should skip this song on *Shabbos* as the *Leviim* sang it in the Temple when the *todah* was sacrificed and people might err in thinking that a *todah* may be offered on *Shabbos* while individuals' sacrifices are not offered on *Shabbos*.

We understand that the *todah* was not offered on *Shabbos*. It was also not sacrificed on *Chol HaMoed* of *Pesach* because it had to be accompanied by loaves of *chametz* but why wasn't it offered on the eve of *Pesach* and the eve of *Yom Kippur*?

Indeed, our *sugya* explains that "we do not bring *kodshim* to become disqualified." In other words, one must not cause the meat of a sacrifice to become disqualified before its proper time. For example, a sacrifice which is uncertainly a *shelamim* or an *asham* must not be sacrificed as an *asham* is eaten during a day and a night and a *shelamim* is eaten during a day, a night and another day. As we must behave strictly and treat this sacrifice as an *asham*, it could be that we have a *shelamim* whose eating time has been curtailed by a day and this mustn't be done. Therefore, as a *todah* is eaten during a day and a night, its being sacrificed on the eve of *Pesach* or the eve of *Yom Kippur* shortens the time of its eating as one cannot eat it or its loaves on *Yom Kippur* because of the fast and one cannot eat its loaves on *Pesach* because they are *chametz.* For that reason, we do not say the *parshah* of the sacrifices on the eve of *Yom Kippur* aside from the verses concerning the *'olah* (*Sha'ar HaTziyun*, 604, *S.K.* 12).

The author of *Chavos Yair* zt"l (*Mekor Chayim*, ibid) explains the Sephardic custom to say *mizmor lesodah* on

the eve of *Yom Kippur* in that the *todah* may be eaten by the ill who cannot fast; thus the time to eat the sacrifice is not shortened.

A similar idea was rejected by the author of *Avnei Nezer* (Responsa, *O.C.* 459). He was asked why sacrificing the *todah* on the eve of *Yom Kippur* shortens the time of eating its meat. After all, the *Kohanim's* children could eat it on *Yom Kippur*. He replied that not only is it forbidden to shorten the time of eating the sacrifice but it is also forbidden to limit the **possibilities** to eat it. Therefore, one mustn't offer a sacrifice on the eve of *Yom Kippur* as the adult *Kohanim* will be forbidden to eat it during the entire time proper for its being eaten (*see ibid, that he proves his opinion from a Mishnah in Maaser Sheini, Ch. 3, and see ibid for another rejection*).

Some Ashkenazim didn't say *mizmor lesodah* on the eve of *Tishah B'Av*, but the Maharshal (Responsa, 64) objects, asserting that they are mistaken. We don't say it on the eve of *Yom Kippur* so that when the Temple will be built, people won't err in thinking that the *todah* could be sacrificed on the eve of *Yom Kippur*. However, when the Temple will be built, *Tishah B'Av* will become a day of joy and people will be able to eat on it and certainly a *todah* could be offered on the eve of *Tishah B'Av*.

DAILY MASHAL

The first verse of a chapter of Tehillim differs from the other verses: The Maharil (*Hilchos Pesach*) cites a most interesting custom to say "A Song of Thanks" on the eve of *Pesach* while skipping just the two words *mizmor lesodah*.

Mahari Engel (*Gilyonei HaShas,* Megillah 21b) mentions that though we mustn't curtail a verse (Taanis 26b), we may do so regarding the first verse in a chapter of Tehillim. Apropos, we mention what Rashi wrote in his *siddur* (ibid), that "A Song of Thanks" contains four verses corresponding to the four types of loaves brought with the *todah*. We all know that *mizmor lesodah* contains five verses: "…and if you say there are five, the first verse is only the words of the *sofer* (scribe) and the song starts with "Serve Hashem with joy."" This fact was so obvious to Rabbi Yaakov Chagiz, author of Responsa *Halachos Ketanos* (69), that he ruled that someone who accepts upon himself to say a certain number of verses of Tehillim should not count the first verses of the chapters! (see Mahari Engel in *Gilyonei HaShas*, Megillah 21b).

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