(מסקנא בכוסות פליגי) → 81b (משנה ח') (מסקנא בכוסות

- ז. אַדְּ בְּכוֹר שׁוֹר אוֹ בְכוֹר כֶּשֶׂב אוֹ בְכוֹר עֵז לֹא תִפְּדֶּה **לְדָשׁ הֵם** אֶת דָּמָם תִּזְרֹק עַל הַמִּזְבֵּחַ וְאֶת חֶלְבָּם תַּקְטִיר אָשֶׁה לְרֵיחַ נִיחֹחַ לַה': *במדבר יח:יז*
 - ב. וְיָצָא אֶל אֲשֶׁר לְפְנֵי ה' וְכָפֶּר עָלָיו וְלָקַח **מִדָּם הַפָּר וּמִדָּם הַשְּׁעִיר** וְנָתַן עַל קַרְנוֹת הַמִּזְבֵּח סָבִיב: *ויקרא טזייח*
 - 🧈 וְשַׁחַט אֶת בָּן הַבָּקַר לְפָנֵי ה' וָהָקָרִיבוּ בָּנֵי אָהַרֹן הַכֹּהַנִּים אֶת **הַדָּם** וְזַרְקוּ אֶת **הַדָּם** עַל הַמְזְבַּח סְבִיב אֲשֶׁר פַּתַח אֹהֶל מוֹעֲד: *ייקרא א:ה*
 - 4. אַך בָּכוֹר אֲשֶׁר יִבַכַּר לָה' בִּבָהֶמָה לֹא יָקְדִישׁ אִישׁ אֹתוֹ **אָם שׁוֹר אָם שָׂה** לָה' הוּא: *ויקרא כז:כו*
- ו משנה ח' at different stages
 - a if: they mixed as one group all spilt into אמה
 - b but if: each remained in its own כוסות got mixed
 - i איי. if one כוס was offered (used for זריקה), all may be used
 - 1 *note (אלעזר)*: מ"ז only allowed using 2 at a time (per above, with heads)
 - (a) challenge: חכמים (next line) stress "even if only 1 were left" (א"ז) should agree are "out") (a: "1" → "1 pair")
 - ii תכמים even if all (but one) were offered, the remainder should be spilt into the אמה
 - 1 justification (of dispute בוסות in re כוסות as well as "heads")
 - (a) if: we were only taught about "heads", סד"א that א"ד permits since the כברה was already accomplished
 - (b) and if: we were only taught סד"א, כוסות that חכמים would agree to allow צריכי
- II משנה ט' and some belong "up" and some belong "below"
 - a איי put all above, imagine דם of the "למטה" as if it were water, then perform מתנות below
 - b *חכמים* all spilt out into אמה
 - נשר per מתנות didn't ask and performed מתנות per מתנות s outline כשר
- III משנה יי: mixture of valid דמים -1/1, 4/4/ and 1/4
 - a if: 1/1 (e.g. מעשר with מעשר) perform one מתנה
 - b if: 4/4 (e.g. עולה with שלמים) perform 4
 - c but if:4/1 (e.g. עולה with מעשר):
 - i ד"א. perform 4
 - ii *ר' יהושע*: perform 1
 - 1 arguments:
 - (a) א"ז. performing 1 is a violation of לא תגרע
 - (b) ד"י. performing 4 is a violation of לא תוסיף
 - (i) א תוסיף הי"א is only considered if the object is on its own (not part of a תערובת)
 - (ii) לא תגרע .ד"י is only a violation if the object is by itself (not part of a תערובת)
 - 1. further: by doing 4, the violation is active (מעשה בידים); prefer "passive" violation (שב ואל תעשה)
- IV backdoor סוגיא re: mixing of liquids
 - a פרה ט:א: if a vial of מי חטאת had water fall in
 - i איי. perform 2 אהות and the recipient is טהור
 - ii חכמים: invalid for use
 - 1 analysis:
 - (a) understood: שעור and חכמים –maintain יש בילה (liquids mix); הזאה requires a מאות and הזאות cannot be combined
 - (b) *but*: ר"א's position is difficult
 - (i) he must maintain: יש בילה, else how would 2 הזאות help? perhaps both are water
 - (ii) and he must hold: הזאה requires a minimum שעור, else no need for 2
 - (iii) and he must hold: הזאות can be combined, else how does the 2nd help
 - 1. challenge: even if they can combine, perhaps he got mainly water (and was short of the שעור)
 - 2. answer1 (ב""ל): case was 1 to 1 ratio (2 מי חטאת would be exactly 1 מי חטאת)
 - 3. answer2 (רבא): he really holds אין שעור to ensure that no one mixes מי חטאת in מים
 - 4. answer3 (ד' אשי): he holds אין בילה, and must do a second in case the 1st was the (כל שהו) of) water
 - a. challenge (to "ר", that א" holds there is a רבי: (שעור הזאה): רבי claimed that according to ר"א has no שעור → if ½ is פסול, still valid
 - b. *furthermore*: משנה (expanding on our משנה) reports that ה"ז ruled that if upper and lower par get mixed, put above and the lower ones count
 - i. but: if he holds אין בילה, perhaps the ones put below were עליונים and vice-versa
 - ii. defense: case mainly עליונים, and he puts the amount of חחתונים plus a bit above
 - iii. however: it states "תחתונים עלו לו"
 - iv. answer: they count for שיריים

- c. challenge: if he put the mix below (w/o asking), א"ז rules that he should then put above and the lower ones count
 - i. as above: it was mainly עליונים and he put the amount of אחתונים+ above
 - ii. and: עלו לו for שיריים
- d. *challenge*: if he put the mix above (w/o asking), all agree that he should then put the mix below and both count
 - again: the case where a majority were עליונים and he put the amount of אתחתונים+ above
 - ii. challenge: it states אלו ואלו עלו לי we assume ר"א concurs
 - iii. rejection: this clause works for בילה who accept בילה
- e. challenge: our מתן א' gets mixed with מתן א' put once on מזבח put once on
 - i. but if: אין בילה, perhaps he only gave from one
 - ii. answer: there was exactly מתנה of one מתנה of each
- f. challenge: our מתן ד' gets mixed with מתן ד' put four on מזבח put four on מזבח
 - i. answer: שעור of 4 was mixed with שעור of 4
- g. challenge: if 4 get mixed with 1 (dispute ר"א/ר")
 - i. and here: we cannot argue that there was only the amount of one מתנה
 - ii. reason: בל תוסיף there's no "overuse" here
- 5. rather (נרבא): dispute is not about בילה, they only disagree when the כוסות get mixed up
 - a. ד"א: employs "רואין"
 - b. *חכמים* don't accept "רואין"
- 6. challenge: they do disagree about בלול, per בלול's report:
 - a. they agree: in case of דם חטאת mixed with דם offer it
 - b. they agree: in case of נרבע don't offer
 - c. disagree: about דם תמימה mixed with דם בע"מ argues that even בלול should be brought, מנים disallow in both cases (→ they disagree about בלול)
 - i. answer: ר' יהודה only disagree re: כוסות only disagree re
- V Analysis of 'ם משנה dispute ר"א/חכמים about mixture of דמים עליונים ותחתונים
 - a אביי dispute only when neither עולה nor עולה have yet been offered
 - i but: if the מואת only has שיריים to spill and the עולה has yet to be offered all agree (below)
 - ii reason: the locus of the דם עולה (below) is the same as the locus for שיריים
 - 1 challenge (סוד ב' יחדה: ruled that שיריים require a "roof" (i.e. the top of the יסוד, not the wall of the מזבח): מזבח
 - 2 *note*: this dispute is replicated in רב יוסף::ר' יוחנן/ר' אלעזר ,אביי:("ר' שמעון") ר"ל ;א"י
 - iii support (as challenge to דם עולה, offer together דם בכור at got mixed with דם עולה, offer together
 - 1 assumption: reference is סוף עולה with דם בכור \rightarrow דם עולה שיריים=מקום עולה
 - 2 rejection: reference is עולין → דם בכור with עולין ס do not nullify each other
 - (a) challenge: that is inferred from v. 2
 - (i) defense: it is a dispute among תנאים; some derive from v. 1, others from v. 2
 - iv challenge (דבא): it is inferred from v. 3, which expands on דם, דם to include any דמים תחתונים that mix
 - 1 assumption/rejection: as above → עולין do not nullify each other
 - 2 *therefore*: there are three possible derivation; vv. 1, 2 or 3
 - (a) refusal to use verse 2: they hold that מתן קרנות בפנים isn't mixed until after מתן קרנות בפנים
 - (b) refusal to use verse 3: they don't accept significance of "דם", "דם"
 - (c) refusal to use verse 1: they understand קדש as blocking out ממורת בכור (not offered)
 - (i) defense: that is inferred from v. 4 it is offered, not its "replacement" (תמורה)
 - v support (for אביי): ruling that if up/down got mixed and he placed above (w/o asking), all agree that he should then place below and both "count"
 - $1 \quad \textit{assumption}$: mixture is חטאת/עולה, once he placed up, all that remains of חטאת is מקום שיריים \leftarrow שיריים
 - 2 rejection: in "א, they referenced this ruling to a case of חטאת חיצונה mixed with שיירי חטאת פנימית (both שיריים)
 - (a) challenge (אביי): why not make it שיירי חטאת mith שיירי חטאת חיצונה?
 - (b) perhaps: it teaches that even according to משר , if some are missing , שיירי חטאת פנימית מעכבין , if some are missing כשר
 - (i) *challenge*: we already understood that that ruling was a case of רוב עליונים and he put the amount of plus a bit above (so there was assuredly some עליונים pluced there)
 - (ii) answer (רבינא): that was according to approach that the dispute was about בילה
 - (iii) but: since we established that all agree that יש בילה, the dispute is only about a mixture of כוסות, not one כוס in one כוס