## 31.2.4

## 16a (משנה ד) → 17a (משנה ד)

note: our first משנה here uses the phrase צ"ב) צאן ברזל; it refers to an arrangement whereby the owner of animals gives them to a herdsman at an agreed-upon value and after, say, 10 years, that value is returned – and the offspring are included

- ז. אָך בְּכוֹר שׁוֹר אוֹ בְכוֹר כֶשֶׁב אוֹ בְכוֹר עֵז לֹא תִפְדָּה לֹדֶשׁ הַם אֶת דָּמָם תִּזְרֹק עַל הַמִּזְבָּחַ וְאֶת חֶלְבָּם תַּקְטִיר אָשֶׁה לְרֵיחַ נִיחֹחַ לַה': במדבר יח, יז
  ג. אָם לֹא בַרֵכוֹּנִי חֶלְצִיו וֹמְמֵּז בְּבָשֵׁי יִתְחָפֶּם : איזב לא, כ
  נ. וּשְׁעִיר עִזִּים אֶחֶד לְחַשָּׁאת לַה' עַל עלַת הַתְּמִיד יֵעשֶׁה וְנְסְכּוֹ: במדבר כח, טו
  שור אוֹ כֶשֶׁב אוֹ עֵז כִי יִנְלֵד וְהָיָה שְׁבְעַת יָמִים תַּחָת אָמּוֹ וֹמִיוֹם הַשְּׁמִינִי וָהָלְאָה יֵרְצֶה לְקְרְבֵּן אָשֶׁה לַה': ויקרא כב, כז
  לֹא תִלְבָשׁ שַעַטְנֵז צֶּמֶר וּבְשְׁתִּים יְחָדֶּוֹ: דברים כב,יא
  בְּדְלִים תַּעַשֶּׁה לְּדְּ עַל אַרְבַע כַּנְפוֹת כְּסוֹתְךְ אֲשֶׁר תְּכַשֶּׁה בָּה: דברים כב, יב
  וְהַבֶּנֶד כִי יְהְיֶה בוֹ נָנַע צָרְעַת בְּבָּנֶר צָמֶר אוֹ בְּבֶּנֶד בְשְׁתִּים: ויקרא יִ, מוֹ
  וְהַבְּנָד כִי יְהָיֶה בוֹ נָנַע צָרְעַת בְּבָּנֶד לְחָשָׁה לֹדֶ לְהַלְּרִב אְשֶׁה לָה' עִלְה וִמְנְחָה זָבֵר יוֹם בְּיוֹמוֹ: וִיקרא כֹנ, לֹז
- I משנה ד: if a Jew accepts a non-Jew's flock as צ"ב
  - a then: the offspring are exempt from בכורה, but not the next generation
    - i implication: צ"ב is considered the property of the (original) owner, since he didn't yet get paid
    - ii challenge: ברייתא we may not accept ב"צ from Jew as the payment of young is considered רשות מקבל (→in בריית)
      - l answer1 (אביי): our משנה is a case where owner accepted loss and depreciation; ברייתא where he didn't
        - (a) challenge (צאן ברזל): if he accepts depreciation and loss, this isn't considered צאן ברזל
          - (i) furthermore: why interpret two different agreements to same wording?
          - (ii) furthermore: משנה should have specified this is only true if he accepted...
      - 2 answer2 (צ"ב"): both cases are "normal" צ"ב; but in our case, since non-Jew has rights to collect from young
        - (a) therefore: since יד גוי is in the "middle" exempt from בכורה
  - b if: he put the offspring in lieu of the original animals (for collection), one more generation is exempt
    - i dispute צ"ב=0) חייב, in first case (without "in lieu") which generation is מיב (1 − offspring etc.)
      - 1 *רב הונא*: 1 is exempt, 2 is חייב
      - 2 וויב 2 is also exempt, 3 is חייב
        - (a) Challenge: only if he put #1 in lieu of #0 does exemption o to #2→else, #2 is חייב
          - (i) *Defense*: in any case, #2 is exempt; "in lieu" teaches that even in that case, where the non-Jew may take the offspring, only #2 is exempt, not #3
        - (below) using "10" (below) using "10"
          - (i) אריב"ג it works he claims that "ת"ק uses exact generations that's why מרשב"ג uses a number
          - (ii) לרב הונא who feels א "ח" is inexact, why would רשב"ג use exact numbers?
            1. Answer: רשב"ג is responding to "in lieu", where מ"ק used exact numbers of generations
        - (c) Challenge: ברייתא if one receives צ"ב from גוי, offspring are exempt, their offspring are מייב
          - (i) Answer (for רב יהודה): read "they and offspring" (פטור) and "their offspring's offspring" (חייב)
        - (d) Altnerate version: ולדי ולדו חייבין, וולדי וולדות חייבין
          - (i) Answer (for רב הונא): read הן וולדות, but ולדי ולדות חייבין, but
  - c dissent; רשב"ג exempt "until 10 generations" (forever), as the owner may seize any of them
- II משנה ה: if a ewe birthed something looking like a goat or vice-versa exempt from בכורה
  - a however: if it had some similarity to the mother חייבת בבכורה

- III ברייתא י'a' (which he brought from איים ; a ewe bore a goat or vice-versa, ר' אושיעא (which he brought from ממים ; איי exempt
  - a Analysis: רבה was told to ask רב הונא what is the חיוב that ה"מ asssses here
    - i Cannot be: בכורה, as he surely accepts v. 1, requiring בכורה to look like mother
    - ii Cannot be: ראשית הגז, as, per v. 2, if the wool is hard (sheep with goat-like wool) פטור
    - iii Answer: must be whether we are concerned with father's identity (and father is a goat) and if יש איסור או"ב
      - 1 *Challenge*: if so, let them align with חנניה/רבנן (whether או"ב applies to father)
    - iv Rather: they are disagreeing about בכורה
      - 1 Case: lamb, mother was a ewe but mother's mother was a goat
        - (a) ה"מ follow mother בכורה looks like mother → חייב
        - (b) בכורה follow mother's mother בכורה doesn't look like "grandmother" → פטור
      - 2 Or case: lamb, mother was goat, her mother was ewe
        - (a)  $\pi''$ י"ב "lambness" has been restored  $\rightarrow$  הייב
        - (b)  $\pi$  "lambness" has not been restored  $\rightarrow$  exempt
      - ה' אשי the case is where the בכור has some similarity to mother
        - (a) And: "חכמים" here is יחכמים", who requries חיוב בכורה to be similar for חיוב בכורה
  - b Caveats: areas where מ"מ requires "pure" lamb or goat
    - i אחד" goat of ר"ח must be "pure" per ה' יוחנן" (v. 3)
      - 1 Challenge: this is inferred from "עז" in v. 4 which excludes נדמה
        - (a) Defense: v. 4 alone would have applied only when earlier generations didn't look like index
        - (b) And: v. 3 alone would have only excluded נדר ונדבה from קרבן חובה; v. 4 extends to נדר ונדבה
    - i מכות for wearing a mix of flax and this one's wool מכות for wearing a mix of flax and this one's wool
      - 1 source: v. 5 just as משתים is consistent, so too צמר must be the same as its mother's
    - iii מכלת for תכלת s wool is נדמה for תכלת for תכלת
      - 1 Source: v. 5 is juxtaposed to v. 6 איסור of שעטנז tied to מצות תכלת
    - iv נדמק בר יצחק: all agree that the ינדמה wool isn't vulnerable to טומאת נגעי בגדים
      - 1 Source: v. 7 compares פשתים; as above
    - ע (attempted extension): if he put a vine over a fig tree, the wine from that vine is פסול לנסכים
      - 1 Source: v. 8 compares זבת to זבה must be "unchanged" (from mother, as above)
        - (a) So too: the נסכים must be unchanged
      - 2 Challenge (רבינא): if so, why not say that if he moved the flax to grow over a thorny bush that's a שינוי and it's no longer "פשתים"; and therefore, the premise that פשתים never changes is lost?
      - 3 Defense (י' אשי): in the case of the vine, the *smell* of the grapes changed; the thornbush doesn't affect the smell of the flax