

Bechoros – Simanim

פרק ב – הלוקח עובר פרתו

דף טז – Daf 16

1. שם אמו עליו) בכור ומעשר תמורה of a redeemed *korban* is left to die, unlike

Rav Nachman said that the תמורה of a redeemed, blemished *korban* is left to die, because there is no alternative: ליקרביה: – *should we sacrifice it* on the מזבח? קאטיא? But [its *kedushah*] comes from rejected sanctity (i.e., a redeemed *korban*). ליפרקה. – *Should we redeem it?* פדיונה? [Its *kedushah*] is not strong enough to take hold of its redemption money. Rav Amram objects that the owner should eat it after it develops a מום, like the *halachah* for the *temurah* of a בכור and מעשר? Abaye explains: זה שם אמו עליו – *this one bears the name of its “mother”* (i.e., the original *bechor* or *maaser*, its source of *kedushah*), and זה שם אמו עליו – *and this one bears the name of its mother* (i.e., the redeemed *korban*). Thus, [this *temurah*] is called “*temurah of bechor and maaser*”; just as *bechor* and *maaser* are eaten by their owner after developing a מום (without פדיון), the same applies to their *temurah*. Rav Nachman’s case is called the *temurah* of *kodashim*; just like *kodashim*, it cannot be eaten without פדיון. Since פדיון here is impossible, it must be left to die.

2. A *derashah* and חמשת חטאות המתות prohibiting

Rav Nachman’s ruling above is supported by a Baraisa, which derives that the *temurah* of פסולי המוקדשין is left to die from the *passuk* “ממעלי הגרה...טמא” – *from those which bring up their cud...is tamei* [to you], teaching that there is an animal with kosher signs which is prohibited. The Gemara objects that this *passuk* is needed to teach that חמש חטאות מתות – *five חטאות are left to die* (e.g., a חטאת whose owner died)!? It answers that those are *darshened* from the next phrase, “ממפריסי הפרסה...טמא” – *from those which have split hooves*. The Gemara then asks that the law of the חמשת חטאות המתות is להילכתא גמירי – *learned through a* [למשה מסיני] הלכה, and the *derashah* should be unnecessary!? It answers that the הלכתא is necessary to teach that the חמש חטאות are left to die, and not to merely graze until developing a מום. The *passuk* is necessary to teach that if one does eat from one of the חמש חטאות, he violates not just a transgression, but a לאו. Alternatively, the *passuk* is needed to compare the חמש חטאות with the *temurah* of a redeemed *korban*, teaching that it is also left to die.

3. Accepting animals as צאן ברזל exempts from בכור status

The next Mishnah states: המקבל צאן ברזל מן העובד כוכבים – *if one accepts animals as a צאן ברזל arrangement with an idolator*, i.e., the Jew accepts complete responsibility for any losses, and they divide the profits, ולדותיהן פטורין – *their offspring are exempt* (from their own offspring having *bechor* status), ולדי ולדותיהן חייבין – *but their offspring’s offspring are subject to bechor status* (regarding their own offspring, the fourth generation). This ruling implies that – *as long as the owner has not received money* in exchange for his animals, ברשותא דמרא קיימא – *they stand in his possession*. The Gemara asks that this contradicts another Mishnah, which prohibits accepting property as a צאן ברזל arrangement from another Jew, because the owner’s profits are רבית. This proves that the capital of צאן ברזל is – *in the recipient’s possession*, like a loan (and therefore subject to *ribbis*)!? Rava ultimately answers that in our Mishnah, since if the Jew does not pay the עבו"ם at the end of the term, the עבו"ם might seize the offspring, it is considered באמצע עובד כוכבים – *“an idolator’s hand in the midst,”* which is exempt from *bechor* without actual ownership.

Siman – Acrobat with large toes

The **acrobat with large toes who left the תמורה of his redeemed *korban* to die** beside his tightrope stretched over five חטאות marked “Left to die—eating violates a לאו”, was approached by the **non-Jewish circus owner who pointed to the offspring already exempt from בכורה under their צאן ברזל arrangement and said, ‘If you don’t pay me, I’ll take these!’”**

דף טז | DAF 16

Acrobat with large toes



The **acrobat with large toes** who left the תמורה of his redeemed korban to die beside his tightrope stretched over five חטאות marked “Left to die—eating violates a לאו”, was approached by the non-Jewish circus owner who pointed to the offspring already exempt from בכורה under their צאן ברזל arrangement and said, “If you don’t pay me, I’ll take these!”

3 things to remember

1. תמורה of a redeemed *korban* is left to die, unlike תמורה of בכור ומעשר
2. A *derashah* and הלכתא prohibiting חמש חטאות המתות
3. Accepting animals as צאן ברזל exempts from בכור status

