

Bechoros – Simanim

פרק ב – הלוקח עובר פרתו

Daf 19 – דף יט

1. בכור לדבר אחד: יוצא דופן and the animal born afterwards:

The next Mishnah states: יוצא דופן והבא אחריו – regarding [a firstborn animal] *born through caesarean section and the naturally-born [animal] which came after it*, Rebbe Tarfon says each of them might be a *bechor*. Therefore, שניהם – *both of them graze until they develop a blemish*, after which they may be eaten by their owners. Rebbe Akiva says that neither is a *bechor*: הראשון מפני שאינו פטר רחם – *the first, because it is not the first to open the womb*, והשני מפני שקדמו אחר – *and the second, because another preceded it*. The Gemara explains that Rebbe Tarfon is uncertain whether בכור לדבר אחד – *a bechor in one respect* is halachically considered a *bechor* or not. Thus, each animal in our case is a possible *bechor*: the first animal is the firstborn, while the second is the first to open the womb. Rebbe Akiva is certain that בכור לדבר אחד is not a *bechor*.

2. Until when a purchased animal's offspring is assumed to be a *bechor*

The third Perek begins: הלוקח בהמה מן העובד כוכבים – *if one purchases an animal from an idolator*, and does not know whether it has previously given birth, Rebbe Yishmael says that if a goat gives birth within its first year, the offspring definitely belongs to the Kohen (because it could not have given birth twice in its first year). The same applies to a female sheep within its second year, and to a cow or donkey within its third year. Any offspring born after any of these respective times is ספק (thus, for a kosher animal, the owner keeps it and may eat it after it develops a מום; for a חמור, he separates a lamb to redeem it, and keeps both). Rebbe Akiva says that Rebbe Yishmael would be correct if only the birth of viable offspring exempts the mother from *bechor*. However, even a miscarriage exempts the mother, and the Sages said: סימן הוולד בבהמה דקה טינוף – *the sign of a miscarried offspring in small livestock is "soiling"* (i.e., discharge indicating a dissolved fetus); for גסה – *large livestock*, it is שיילא – *an afterbirth* (a sac and placenta), and with a woman, it is שפיר – *an embryo* or שיילא.

פרק ג – הלוקח בהמה

3. רובא דליתיה קמן even for רוב, חייש למיעוט, but the Rabbonon follow

The Gemara asks why Rebbe Yishmael rules that a goat's offspring after its first year is ספק בכור: we should follow the majority, and most animals conceive and give birth during their earliest time period, so the next offspring should definitely not be a *bechor*!? Does Rebbe Yishmael hold like Rebbe Meir, דחייש למיעוט – *who is concerned for the minority*, since a minority of animals do not give birth their first year? The Gemara suggests that even the Rabbonon, who follow the majority, only do so ברובא דאיתיה קמן – *with a majority which is "before us,"* such as תשע – *nine kosher stores* and one non-kosher store (where meat found in the city is presumed kosher), or regarding Sanhedrin (where we follow the majority opinion). In contrast, regarding רובא דליתיה קמן – *a majority which is "not before us,"* i.e., a statistical majority, perhaps the Rabbonon are also concerned for the minority. However, the Gemara proves otherwise: Rebbe Meir does not allow a קטנה or קטן to perform יבום, out of a concern that the boy will be found a סריס, or the girl, an אילנית. The Rabbonon say that we follow the majority of קטנים, who mature normally. Therefore, Rava concedes that Rebbe Yishmael must hold like Rebbe Meir. Ravina answers differently on the next Daf.

Siman – Yacht

On the **First of the Flock Bechoros yacht** the crew who debated whether to let a sheep and its sibling born after through a regular birth on board since they were both בכור לדבר אחד and ספק בכורות asked the men transporting animals purchased from idolators and celebrating the birth of definite bechoros born within the first year for a goat, second for a sheep and third for a cow, to please keep the noise down, so they could hear whether the Rabbi would pasken that the offspring born during a goat's second year was ספק בכור because חוששין למיעוט.

דף יט | DAF 19

Yacht



On the **First of the Flock Bechoros yacht** the crew who debated whether to let a **יוצא דופן** sheep and its sibling born after through a regular birth on board since they were both **ספק בכורות** and **בכור דלבר אחד** asked the men transporting animals purchased from idolators and celebrating the birth of definite *bechoros* born within the first year for a goat, second for a sheep and third for a cow, to please keep the noise down, so they could hear whether the Rabbi would *pasken* that the offspring born during a goat's second year was a **ספק בכור** because **למיעותא** **חוששין**.

3 things to remember

1. **יוצא דופן and the animal born afterwards:** בכור לדבר אחד
2. **Until when a purchased animal's offspring is assumed to be a bechor**
3. **Rebbe Meir is חייש למיעוטא, but the *Rabbonon* follow רוב even רובא דליתיה קמן**

