

Bechoros – Simanim

פרק ה – כל פסולי המוקדשין

Daf 35 – לה – דף

1. If one inflicted a מום without knowing it permits the *bechor* (a gentile or child)

The next Mishnah relates an incident with an old ram whose hair was dangling because it was never shorn. A Roman official inquired about it and was told it was a *bechor*, מום כ"ה היה בו מום – *and it may not be shechted unless it develops a blemish*. The Roman took a spear and nicked its ear, and the Chochomim permitted it, since he did not know that intentionally blemishing the *bechor* permits it (מדאורייתא). He began to do the same to other *bechoros*, and the Chochomim prohibited them (since he now understood that a מום permits it). Similarly, children once tied several lambs' tails together, and a *bechor's* tail was torn off. The Chochomim permitted it, until they began to do so to other *bechoros*. Rav Ketina says a מום inflicted by an idolator is only permitted if he said the *bechor* is forbidden מום כ"ה היה בו מום – *unless it has a מום*, but if he said "אם נעשה בו מום" – *unless a מום is made in it*, *it is as if he told him, "Go make a blemish in it,"* and it is forbidden. Rava permits even this case.

2. One who kicked a *bechor* which was chasing him

The next Mishnah states: היה בבור ר[ו]ן – *if a bechor was chasing [someone]*, בעטו ועשה בו מום – *and he kicked it and thereby inflicted a blemish in it*, it may be *shechted* based on the מום. Rav Pappa says this only applies if he kicked it בשעת רדיפה – *during its pursuit*, but if he kicked it לאחר רדיפה – *after its pursuit*, it is forbidden. Although it seems obvious that he intends to blemish it (since he is no longer in danger), one might think הוא דמדכר – *he is remembering his suffering* and kicking the animal in anger, and it should be permitted. Therefore, Rav Pappa informs us otherwise. In another version, Rav Pappa says that the *bechor* is permitted even if he kicked it after it was no longer chasing him, because he is remembering the suffering he endured from this animal.

3. Who is believed to testify that a מום was not inflicted intentionally?

In the next Mishnah, the Tanna Kamma says, regarding מומין which can be man-inflicted, רועי ישראל נאמנין – *“shepherds of Yisroelim” are believed to testify that they occurred naturally*, but רועים כהנים אינן נאמנין – *“shepherds of Kohanim” are not believed*. Rabban Shimon ben Gamliel says he is believed about של חבירו – *his friend's bechor*, but not about his own. Rebbe Meir says מעיד ולא דנו ולא מעיד – *one who is suspected about something may neither judge nor testify about it*. Amoraim debate if "רועי ישראל" refers to Yisroel shepherds working for Kohanim, or Kohanim shepherds working for Yisroelim. This depends on whether we are concerned a Yisroel shepherd would testify falsely for "לגימא" – *merely to partake of the bechor's meat with his employer*, and whether a Kohen shepherd would testify falsely for his Yisroel employer (hoping to receive the *bechor*), and, regarding a Kohen shepherd for another Kohen, whether we are concerned for גומלין – *their reciprocating favors for each other* (i.e., that the employer will testify for the shepherd if he later has a *bechor*). Tannaim debate if two witnesses from "the market" (i.e., not from his household) are required, or if one's own son or daughter may testify, or one outside witness suffices.

Siman – Children's Choir Singing "La-la-la"

When the mischievous boys in the בבורות **choir** tied the tails of two בבורות together making one a מום בעל מום and the other run wild chasing the choir leader who kicked it making it a מום בעל מום, the רועה ישראל shepherd testified that the מום was unintentional and they believed him to allow it to be *schechted*.

דף לה | DAF 35

Children's Choir Singing "La-La-La"



When the mischievous boys in the **choir** בכורות tied the tails of two בכורות together making one a בעל מום and the other run wild chasing the choir leader who kicked it making it a בעל מום, the ישראל רועה shepherd testified that the מום was unintentional and they believed him to allow it to be *schechted*

3 things to remember

1. If one inflicted a מום without knowing it permits the *bechor* (a gentile or child)
2. One who kicked a *bechor* which was chasing him
3. Who is believed to testify that a מום was not inflicted intentionally?

