

Bechoros – Simanim

פרק ה – כל פסולי המוקדשין

דף לו – Daf 36

1. One is believed to say, “This is a *bechor* and this is its מום” (הפה שאסר הוא הפה שהתיר)

שהוא בכור ומומו said that if an animal was not known to be a *bechor*, the owner (a Kohen) is believed to say מום – *that it is a bechor and its permitting blemish is with it*, i.e., its מום occurred naturally. The Gemara objects: is teaching us שהתיר – *that the mouth which forbade is the mouth which permitted*, i.e., since its being a *bechor* is only known through his admission, his second statement is also believed? But this principle was already taught in a Mishnah: a woman who said אני וגרושה – *“I was married but now I am divorced”* is believed, because הפה שאסר הוא הפה שהתיר (since we did not know she was married without her admission)!? The Gemara answers that in that case, she could have said nothing and been presumed unmarried. Here, the Kohen must inform us it is a *bechor*, because he would not eat *kodashim* outside the Mikdash, and needs the sage to examine its מום. מום רבי אילעא teaches that he is believed, because had he inflicted the מום himself, he would have inflicted an obvious מום and eaten it without showing it to a sage.

2. One is believed to say, “I showed this *bechor* to a sage and it is a מום בעל מום”

The next Mishnah states that a Kohen is believed to say: הראיתי בכור זה ובעל מום הוא – *“I showed this bechor to a sage, and he ruled it is permanently blemished.”* He may then *shecht* it (but must provide testimony that the מום occurred naturally). Rav said a Kohen is believed to say: בכור זה נתן לי ישראל במומו – *“A Yisroel gave me this bechor with its מום”*, and does not require testimony that he did not inflict it, because כל מילתא דעבידא לאיגלווי לא משקרי בה – *people do not lie about what is likely to be revealed* (i.e., since his lie would be exposed if the Yisroel were asked). Rav Ashi said our Mishnah supports this: one is believed to say he showed the מום to a sage, since the sage could be asked. The Gemara rejects the proof: in the Mishnah, he might be believed the מום was certified because he would not eat *kodashim* outside the Mikdash, but here, *since they are suspected* of inflicting blemishes and claiming they occurred naturally, *they are suspected* of falsely claiming they received it from a Yisroel with a מום.

3. Obvious מומין can be certified by three laymen

The Mishnah teaches, regarding a *bechor* whose eye was blinded, its foreleg was cut off, or its hind leg was broken, *it may be shechted by the authorization of three laymen*, even without a sage, since the מום is obvious to all. Rebbe Yose says that even if there are twenty-three judges, *it may only be shechted by the authorization of an expert*. Amoraim quote a ruling that a *bechor* in חוץ לארץ may be permitted by three laymen (even in the time of the Beis Hamikdash). Rava added that this is only true for מומין – *obvious blemishes*. Rebbe Yirmiyah bar Abba quoted that three laymen may permit a *bechor* במקום שאין מומחה – *in a situation where there is no expert*, but if there is a מומחה, it must be shown to the מומחה.

Siman - Lulav

The customers who were shocked when the **lulav salesman** told them **the animal he was using to shlep lulavim was a bechor** relaxed when he told them it has a מום and when he told them he showed his other animal to a מומחה they replied that the מום is so obvious they could have ruled on it themselves.

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Lulav



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3 things to remember

1. One is believed to say, "This is a **bechor** and this is its **מום**"
2. One is believed to say, "I showed this **bechor** to a sage and it is a **מום בעל מום**"
3. Obvious **מומין** can be certified by three laymen

