



## Bechorot in Partnership

*Masechet Bechorot* opens by discussing the *mitzvah* of *peter chamor*. The *chamor* (donkey) is unique amongst the non-kosher animals in that it is the only one whose first born requires redemption. The owner must give a *kohen* a lamb in order to redeem the foal. Alternatively, the owner must put the donkey to death.

The first *Mishnah* discusses the various forms a partnership with an *Akum* that would exempt the first-born donkey from *peter chamor*. The *Yisrael* acquired the *ubar*; the *Yisrael* sold the *ubar*; they jointly owned the donkey; the *Akum* cared for the *Yisrael's* donkey and they shared in the offspring; or the reverse arrangement. The *Mishnah* learns this exemption from the verse, "I have sanctified all the first born *in Israel*" (*Bamidbar* 3:13). The specific mention of "in Israel" comes to exclude the first-born belonging to an *Akum*.

The *Tosfot* however cites the *Gemara* that teaches that two *pesukim* were required to teach the full exemption. Our *pasuk* only teaches the exemption if the *Akum* has joint ownership in the *ubar*, i.e. that the first-born must be all "in Israel". The *pasuk* "...as well as 'all' of your livestock that produces a male, the first issue of an ox or sheep" (*Shemot* 34:19) teaches that an *Yisrael* must own "all" of the mother as well.

The *Tosfot* cites the *Torat Kohanim* that learns from an additional *pasuk* (*Devarim* 12:17) that if there was a partnership amongst *Yisraelim* then they would be obligated in *peter chamor*. The *Tosfot* questions the necessity in this additional *pasuk*. Our *Mishnah* was particular with the term "in Israel" to exclude the partnership with an *Akum*. Surely this implies that there is an obligation in a case of a partnership amongst *Yisraelim*.

The *Tosfot* answer however that based on their answer above, that *pasuk* specifically referred to partnership in the *ubar*. The *Torat Kohanim* however is dealing with the partnership in the mother.

The *Griz* (stencil, second answer) however answers that the exclusion of "in Israel" applies to both *peter chamor* and the *bechor* of a kosher animal. Indeed the *pasuk* cited by the *Torat Kohanim* is not necessary for *peter chamor*. This is because the *pasuk* that teaches *peter chamor* is termed in the plural. For a regular *bechor* however, the *pasuk* is termed in the singular. One might therefore think that any form of partnership exempt one from the *bechor beheima*. Consequently the additional *pasuk* is required to teach that the partnership is obligated even in that case.

*Yisrael Bankier*

### Revision Questions

מנחות י' א' י"ב ה'

- What parts of a slaughtered animal (*matanot*) must be given to a *kohen*? (א: י')
- Does this law apply today? (א: י')
- Does this law apply to *kodshim*? (א: י')
- What are the differences if an animal had a blemish, was sanctified and then redeemed or if an animal was sanctified, then developed a blemish and was then redeemed? (List seven.) (ב: י')
- Which cases are the exceptions to the previous question? (ב: י')
- What is the law regarding the *matanot* if a *bechor* got mixed with one hundred other animals? (Provide both cases.) (ג: י')
- If person slaughters for which two people is he exempt from separating the *matanot*? (ג: י')
- In what two ways would a *Yisrael* be exempt from separating the *matanot*? (ג: י')
- If a *Goi* had a cow and converted, when would he be exempt from separating the *matanot*? (ד: י')
- What is the *zro'ah*? (ד: י')
- What is the *lechi*? (ד: י')
- How is the obligation of the *matanot* stricter than *reishit ha'gez*? (ה: י"א)
- How much wool must be sheared to obligate the separation of *reishit ha'gez*? (ה: י"א)
- How much must be separated? (ה: י"א)
- What has happened to the wool if one is no longer obligated to separate *reishit ha'gez*? (ה: י"א)
- When is the seller required to separate and when is the purchaser required to separate? (ה: י"א)
- Does the *mitzvah of shiluach ha'ken* apply to *kodshim*? (ו: י"ב)
- To which birds does this *mitzvah* apply? (ו: י"ב)
- To which of the following cases does *shiluach ha'ken* apply:
  - A non-kosher bird sitting on a kosher bird's eggs?
  - A kosher bird sitting on a non-kosher bird's eggs?
  - A male bird sitting on eggs? (ז: י"ב)
  - If there is only one egg?
  - If the eggs will not produce chicks? (ז: י"ב)
- Once the eggs have hatched till when does the *mitzvah* apply? (ז: י"ב)
- What is the law of the mother bird returns? (ז: י"ב)
- Can one take the mother and shoo away the children? (ז: י"ב)
- What is the law if the eggs were taken, returned to the nest and the mother bird returned? (ז: י"ב)
- Explain the debate regarding the punishment for one that takes mother bird. (ז: י"ב)
- Can one take the mother bird for the purpose of purifying the *metzora*? (ז: י"ב)
- What does the *Mishnah* learn from this *mitzvah* and its reward? (ח: י"ב)

בכורות א' א' ג'

- List the five ways, through dealing with a *Nochri*, one can be exempt from *peter chamor*? (From where is this law learnt?) (א: י"א)
- Are *Levi'im* obligated in *peter chamor*? (א: י"א)
- What principle does the *Mishnah* lay down for a kosher animal that gives birth to what appears to be a non-kosher animal and vice versa? (א: י"א)
- Does that principle apply to the law of *peter chamor*? (א: י"א)
- What is the law if a donkey's first birth is: (א: י"א)
  - Twin males?
  - A male and female?
- What is the law if the product from two donkeys' first births was a total of a male and female? (א: י"א)

### Local Shiurim

#### Melbourne, Australia

##### Sunday -Thursday

10 minutes before *Mincha*  
 Mizrachi Shul  
 Melbourne, Australia

##### Friday & Shabbat

10 minutes before *Mincha*  
 Beit Ha'Roeh  
 Melbourne, Australia

#### Efrat, Israel

##### Shiur in English

##### Sunday -Thursday

Rabbi Mordechai Scharf  
 9:00am  
 Kollel Magen Avraham  
 Reemon Neighbourhood

#### ONLINE SHIURIM

Rabbi Chaim Brown  
[www.shemayisrael.com/mishna/](http://www.shemayisrael.com/mishna/)

Rav Meir Pogrow  
[613.org/mishnah.html](http://613.org/mishnah.html)

Rabbi E. Kornfeld  
 Rabbi C. Brown  
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

#### SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss  
 In US dial: 718 906 6400  
 Then select: 1 – 2 – 4

### Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
8 <sup>th</sup> June י"ב סיון	9 <sup>th</sup> June י"ג סיון	10 <sup>th</sup> June י"ד סיון	11 <sup>th</sup> June י"ה סיון	12 <sup>th</sup> June י"ז סיון	13 <sup>th</sup> June י"ח סיון	14 <sup>th</sup> June י"ט סיון
Bechorot 1:4-5	Bechorot 1:6-7	Bechorot 2:1-2	Bechorot 2:3-4	Bechorot 2:5-6	Bechorot 2:7-8	Bechorot 2:9-3:1

