

דף יומי • בכורות • דף כ"ט

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

We begin the daf by finishing up the sugya of paying a fee to a muncheh, an expert, to examine a bechor. The Gemara is medayek on the Mishnah's ruling that the expert gets paid whether he finds a mum or declares the animal unblemished. We need this halacha so people don't suspect the expert of lying just to collect a fee, and the Gemara explains why we aren't worried about a different kind of suspicion.

Then we move into a major new Mishnah that deals with taking payment for doing mitzvos. The Mishnah lays down the yesod that if a judge takes a wage to judge, or a witness takes a wage to testify, their actions are completely batel. The same goes for taking a wage to sprinkle the mei chatas of the Parah Adumah. We learn out the mekor for this from the pesukim, showing that just as Moshe Rabbeinu taught us the Torah for free, we must teach and judge for free.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 29A

מִשְׁנָה MISHNAH

MISHNAH

כְּאִילָא בְּיָבְנָה, שְׁהִתִּירוּ לוֹ (בְּיָבְנָה) חֲכָמִים לְהִיּוֹת נוֹטֵל אַרְבַּע אִסָּרוֹת לְבִהְמָה דְקָה, וְשֵׁשֶׁה לְגִסָּה,
בֵּין תָּם וּבֵין פֶּעַל מוּם.

The Mishnah concludes its list of permitted cases: **Like** the case of **Ila in Yavne**, whom the Sages in Yavne **permitted to take four copper issar coins** as a fee for examining **a small animal** such as a sheep or goat, **and six issar for a large animal** such as a cow, and this was permitted **whether** the animal turned out to be **unblemished or whether** it turned out to be **blemished**.

גְּמָרָא GEMARA

GEMARA

גָּמְר' מַאי טַעְמָא? הָאִי נִפְיֵשׁ טִירְחִיָּה, וְהָאִי לֹא נִפְיֵשׁ טִירְחִיָּה.

The Gemara asks: **What is the reason** for this difference in the fee? Why did they allow more for a large animal? The Gemara answers: **This one**, the large animal, **its effort is great** because it is harder to handle and examine, **and that one**, the small animal, **its effort is not as great**.

STATEMENT

בֵּין תָּם וּבֵין פֶּעַל מוּם.

The Gemara analyzes the next clause of the Mishnah: The expert may take his fee **whether** the animal is **unblemished** or **whether** it is **blemished**.

QUESTION

בְּשִׁלְמָא בְּעַל מוֹם — מְשוּם דְּקָא שְׂרִי לֵיהּ, אָלָא תָּם אַמְאִי?

The Gemara asks: **Granted** he should receive a fee when he declares it a **blemished** animal, **because he is permitting it** for slaughter and eating, so he has performed a tangible service; **but** if he declares it **unblemished**, so that it remains forbidden to slaughter, **why** does he get paid?

ANSWER

דָּאָם כּוֹן, אֲתִי לְמִיחָשְׁדִּיהּ, וְאַמְרִי: הָאִי בְּעַל מוֹם תָּם הוּא, וְהָאִי דְּקָא שְׂרִי לֵיהּ — מְשוּם אֲגָרָא.

The Gemara answers: **Because if so**, that he is only paid when declaring it blemished, people will **come to suspect him**, and they will say: This animal which he declared **blemished** is really **unblemished**, and this reason **that he permitted it** is only **because of the fee** that he wanted to collect.

OBJECTION

אִי הָכִי, תָּם נָמִי אֲמָרִי: בְּעַל מוֹם הוּא, וְהָאִי דְּלֹא קָשְׁרִי לֵיהּ סָבַר כִּי הֵיכִי דְּלִשְׁקוֹל אֲגָרִיָּה זִימְנָא אַחֲרִיתִי!

The Gemara objects: **If so**, that we are worried about suspicion, then even when he gets paid either way, when he declares it **unblemished**, they will also say: It is really **blemished**, and this reason **that he does not permit it** now is because **he thinks**: I will declare it unblemished now **so that I can take my fee another time** when they bring it back to me to examine again!

RESOLUTION

חֵד זִימְנָא תְּקִינּוּ לֵיהּ רַבָּנָן, תִּירִי זִימְנִי לָא תְּקִינּוּ לֵיהּ רַבָּנָן.

The Gemara answers: **The Rabbis instituted** that he may collect a fee **one time** for examining a given animal, but **the Rabbis did not institute** that he may collect a fee **two times** for the same animal. Since he cannot get paid again for this animal, he has no incentive to delay permitting it.

מִשְׁנָה MISHNAH

MISHNAH

מִתְּנִי הַנוּטֵל שְׂכָרוֹ לְדוֹן — דִּינָיו בְּטִילִים, לְהָעִיד — עֲדוּתוֹ בְּטִילִין, לְהִזּוֹת וּלְקַדֵּשׁ — מִיָּמִיו מִי מַעְרָה, אֶפְרוֹ אֶפְרוֹ מִקְלָה.

MISHNAH: One who takes his wage to judge a case, his judgments are void. One who takes a wage to testify, his testimonies are void. One who takes a wage to sprinkle the purification water of the Red Heifer or to sanctify the water by mixing it with the ashes, his water is considered like ordinary cave water which is invalid for purification, and his ashes are considered like ordinary burnt ashes of the hearth.

MISHNAH

אם הָיָה פֶּהָן, מִטְמְאָהוּ מִתְרוּמָתוֹ — מֵאֲכִילוֹ וּמִשְׁקוֹ וְסִכּוֹ, וְאִם הָיָה זָקֵן — מִרְכִּיבוֹ עַל הַחֲמֹר, וְנוֹתֵן לוֹ שְׂכָרוֹ כְּפוֹעָל.

The Mishnah qualifies this: If the expert or judge was a Kohen, and the person who needed him made him tamei so that he was prevented from eating his terumah, the person must feed him, give him drink, and anoint him with oil to compensate for his loss. And if he was an old man, he may ride him on a donkey to the place of judgment. And in all these cases, he may give him his wage like that of an unemployed laborer who is paid to sit idle from his regular work.

גְּמָרָא GEMARA

QUESTION

גָּמִי מִנְהֲגֵי מִיָּלִי?

GEMARA: From where are these words derived, that a judge may not take a wage for judging?

ANSWER

אָמַר רַב יְהוּדָה אָמַר רַב, דָּאָמַר קָרָא: "רְאֵה לְמִדְּתֵי אֲתָכֶם וְגו'", מָה אֲנִי בְּחִנָּם — אַף אַתֶּם בְּחִנָּם.

Rav Yehuda said that Rav said: As the verse states: "Behold, I have taught you statutes and ordinances, as Hashem my Elokim commanded me." This implies: Just as I learned from Hashem for free, so too you must teach and judge for free.

PROOF

תִּנְיָא נָמִי הָכִי: "כַּאֲשֶׁר צִוֵּי ה' אֱלֹהֵי" — מָה אֲנִי בְּחִנָּם, אַף אַתֶּם בְּחִנָּם.

It is also taught likewise in a Braisa: "As Hashem my Elokim commanded me" — just as I learned for free, so too you must teach for free.

EXPLANATION

וּמִנֵּין שָׂאֵם לֹא מִצָּא בְּחִנָּם שִׁילְמִד בְּשָׂכָר? תִּלְמוּד לֹאֲמַר: "אֲמַת קִנְיָה".

And from where do we know that if one cannot find a teacher to teach him for free, that he should learn even for a fee? The verse teaches: "Buy truth", meaning one must acquire Torah even at a cost.

EXPLANATION

וּמִנֵּין שֶׁלֹּא יֵאמַר: כִּשְׁם שֶׁלְּמִדְּתִיהָ בְּשָׂכָר כֵּן אֶלְמִדְּנָה בְּשָׂכָר? תִּלְמוּד לֹאֲמַר: "אֲמַת קִנְיָה וְאֵל תִּמְכֹּר".

And from where do we know that he should not say: Just as I learned it for a fee, so too I will teach it for a fee? The verse teaches: "Buy truth, and do not sell" — even if you had to pay to learn, you must teach others for free.

STATEMENT

לְהוֹזִית וּלְקַדֵּשׁ — מִיָּמִיו מִי מַעְרָה, אָפָרוֹ אָפָר מִקְלָה.

The Gemara quotes the Mishnah: If one takes a wage to sprinkle or to sanctify, his water is like cave water, and his ashes are like burnt ashes.

QUESTION

וּרְמִינָהּ: הַמְקֻדָּשׁ בְּמֵי חֲטָאת בְּאַפֵּר חֲטָאת — הֲרִי זֶה מְקוּדָּשׁ, אֲף עַל פִּי שֶׁהוּא יִשְׂרָאֵל!

And the Gemara raises a contradiction from a Mishnah in Kiddushin: One who betroths a woman with purification water or with purification ashes, she is betrothed, even though he is an Israelite who cannot perform the service himself. This shows that the water and ashes have monetary value and are not invalidated by taking a benefit for them!

ANSWER

אָמַר אַבְיִי: לֹא קוּשְׂיָא — כָּאן בְּשֹׁכֵר הַבָּאָה וּמְלוֹי, כָּאן בְּשֹׁכֵר הַזָּאָה וְקִידוּשׁ.

Abaye said: This is not difficult. Here, in Kiddushin, the value refers to the wage for bringing the ashes and filling the water, which is permitted; whereas there, in our Mishnah, it refers to the wage for sprinkling and sanctifying, which is forbidden.

INFERENCE

דִּיקָא נָמִי, דְּקִתְּנִי הָכָא "לְהִזּוֹת וּלְקַדֵּשׁ", וְהֵתֵם קִתְּנִי "הַמְקֻדָּשׁ בְּמֵי חֲטָאת וּבְאַפֵּר חֲטָאת", שְׁמַע מִיָּנָה.

The Gemara notes: The wording is also precise, as it teaches here "to sprinkle and to sanctify", which are the actual mitzvah acts, and there in Kiddushin it teaches "one who betroths with purification water and with purification ashes", referring to the physical items before the mitzvah is done. The Gemara concludes: Indeed, learn from it that this distinction is correct.

STATEMENT

אִם הָיָה כֹהֵן כַּהֵן מְטַמְּאוֹהוּ מִתְרוֹמְתּוֹ כּו'.

The Gemara quotes the Mishnah: If he was a Kohen, and he made him tamei from his terumah, etc.

EXPLANATION

אִיהוּ גּוֹפִיָּה הֵיכִי אֲזִיל? לְבֵית הַפֶּרֶס דְּרַבְּנָן, דְּאָמַר רַב יְהוּדָה אָמַר רַב: מִנֶּפֶח אָדָם בֵּית הַפֶּרֶס וְהוּלָה.

The Gemara asks: How was he himself, the Kohen, permitted to go to a place of tumah in the first place? The Gemara answers: It refers to a Beis HaPeras, a field where a grave was plowed over, which is only tamei by Rabbinic decree, as Rav Yehuda said that Rav said: A person may blow the dust before him in a Beis HaPeras and walk through it, so a Kohen may enter it for a mitzvah.

צמוד ב' DAF 29B

STATEMENT

וְרַב יְהוּדָה בַּר אֲמִי מְשַׁמֵּי דְרַב יְהוּדָה אָמַר: בֵּית הַפֶּרֶס שְׁנִידֵשׁ טָהוֹר.

And Rav Yehuda bar Ami in the name of Rav Yehuda said: A field suspected of containing a crushed grave, known as a beit haperas, that has been trodden underfoot, thereby creating a path, is pure, and we do not worry about bones being kicked up, because the whole prohibition of a beit haperas is only a Rabbinic stringency.

EXPLANATION

אִי נָמִי: בְּשֹׁאֵר טוּמְאוֹת, דְּלֹא מְזַהֵר עֲלֵיהּ.

Alternatively, the Mishnah is referring to a case where the Kohen became tamei with other forms of impurities, regarding which Kohanim are not warned by the Torah to avoid. A Kohen is only prohibited from contracting tumah from a corpse, yet he

still may not eat terumah while tamei from these other sources.

משנה MISHNAH

MISHNAH

אם היה זקן — מרכיבו על החמור.

The Mishnah taught: **If the expert was an elderly person**, the one who needs him **transports him on a donkey** to the animal.

גמרא GEMARA

BRAISA

תנא: כפועל בטל.

A Tanna **taught** in a Braisa: The owner pays him **like an idle laborer**.

EXPLANATION

אמר אביי: כפועל בטל של אותה מלאכה.

Abaye said: This means he is paid **like an idle laborer of that specific work** from which he was made idle, meaning we estimate how much a person would take to leave his specific job for this easier task.

משנה MISHNAH

MISHNAH

מתני' הקשוד על הבכורות, אין לוקחין ממנו בשר צבאים, ולא עורות שאינן עבודים.

MISHNAH: In the case of **one who is suspect with regard to** violating the sanctity of **firstborn** animals, by intentionally causing blemishes to slaughter them, **we may not purchase from him deer meat, nor** may we purchase from him **hides that are not tanned**.

MISHNAH

רבי אליעזר אומר: לוקחין ממנו עורות של נקבה, ואין לוקחין ממנו צמר מלופן וצואי, אבל לוקחין ממנו טוי וכגדים.

Rabbi Eliezer says: We may purchase from him hides of a female animal, but we may not purchase from him bleached or dirty wool. However, we may purchase from him spun thread and garments.

גמרא GEMARA

EXPLANATION

גמ' בשר צבאים. דמיח לה בדעגלה.

GEMARA: The Mishnah prohibited purchasing **deer meat**. The Gemara explains: This is because it can be confused with the meat of a calf, which is a firstborn, since they look similar.

INFERENCE

ולא עורות שאינן עבודים. הא עבודים זבנינן. אם איתא דבכור הוה — לא הוה טרח ביה, סבר: אי שמעו ביה רבנן מפסדו ליה מינאי.

The Mishnah taught: **Nor** may we purchase **hides that are not tanned**. The Gemara infers: **But tanned** hides we may buy. What is the reason? **If it were so that it was a firstborn, he would not have troubled himself with it** to tan it, because **he would say to himself: If the Rabbis hear about it, they will confiscate it from me** and I will lose my labor.

EXPLANATION

רבי אליעזר אומר: לוקחין ממנו עורות של נקבה. מאי טעמא? מידע ידיע.

The Mishnah taught: **Rabbi Eliezer says: We may purchase from him hides of a female**. What is the reason? The difference between a male and female hide **is well known** from the place of the womb.

OBJECTION

ותנא קמא, אם כן, זכר נמי חייק לזכרותיה ואמר "עכברים אכלוה",

And how does **the First Tanna** respond? He worries that **if so**, that we permit female hides, he will take a **male** hide, **cut out its male organ, and say, "Mice ate it,"** to make it look like a female hide.

RESOLUTION

ואידך — בי עכברים מידע ידיע.

And the other, Rabbi Eliezer, argues: **The place** where **mice** eat is **recognizable** and looks different from a clean cut made by a knife.

QUESTION

ואין לוקחין ממנו צמר מלובן וצואי, השתא צמר מלובן לא זבנינן, צואי מיבעיא?

The Mishnah taught: **And we may not purchase from him bleached or dirty wool**. The Gemara asks: **Now, if we may not purchase bleached wool**, where he put in effort, **is it necessary** to say we cannot buy **dirty** wool?

ANSWER

אלא, חדא קתני: צמר מלובן מצואתו.

Rather, it is teaching one combined case: **wool that was bleached and cleaned from its dirt**.

QUESTION

אבל לוקחין ממנו טוי ובגדים. השתא טוי זבנינן, בגדים מיבעיא?

The Mishnah taught: **But we may purchase from him spun thread and garments**. The Gemara asks: **Now, if we may purchase spun thread**, **is it necessary** to say we may purchase **garments**, which require even more labor?

ANSWER

מאי בגדים? נמטי.

The Gemara answers: **What does "garments" mean** here? It means **felt** garments, which are made directly from wool without being spun first.

משנה MISHNAH

MISHNAH

מתני' הקשוד על השביעית — אין לוקחין ממנו פשתן, ואפילו סרק, אבל לוקחין מהם טוי ואריג.

MISHNAH: In the case of one who is suspect with regard to the Sabbatical Year, we may not purchase flax from him, and even combed flax. But we may purchase from them spun thread and woven fabric.

גמרא GEMARA

QUESTION

גמ' השתא טוי זבנינו, אריג מיבעיא?

GEMARA: Now, if we may purchase spun thread, is it necessary to say we may purchase woven fabric?

ANSWER

מאי "אריג"? תיכי.

The Gemara answers: **What is "woven fabric"** referring to? It means wool woven into **chains**, which is not spun first.

משנה MISHNAH

MISHNAH

מתני' הקשוד להיות מוכר תרומה לשום חולין — אין לוקחין ממנו אפילו מים ומלח, דברי רבי יהודה.

MISHNAH: One who is suspect of selling terumah under the guise of non-sacred produce, we may not purchase from him even water and salt; these are the words of Rabbi Yehuda.

MISHNAH

רבי שמעון אומר: כל שיש בו זיקת תרומה ומעשרות אין לוקחין ממנו.

Rabbi Shimon says: Any item that has a connection to terumah and tithes, we may not purchase from him, but we may buy water and salt.

QUESTION

גְּמִ' לְאַתּוּיֵי מַאי?

GEMARA: What does Rabbi Shimon's rule **come to include** that is not a standard agricultural product?

ANSWER

לְאַתּוּיֵי קֶרֶבֶי דְּגָיִם, דְּמַעְרְבֵי בְּהוּ שֶׁמֶן זַיִת.

It comes **to include fish innards, because they mix olive oil into them**, and we suspect it might be oil of terumah.

STATEMENT

הָהוּא טְבַחָא דְּהָהָה חָשׁוּד לְזַבּוּנֵי

The Gemara relates: There was **a certain butcher who was suspected of selling** forbidden fat...

SUMMARY

The Gemara establishes that while a judge or witness cannot take a wage for the mitzvah itself, they are allowed to receive 'sechar batalah'—compensation for the wages they are losing by sitting idle from their regular work. We also clarify a contradiction regarding the ashes of the Parah Adumah, distinguishing between taking a wage for the physical acts of fetching and carrying the water, which is mutar, and taking a wage for the actual mitzvah acts of sprinkling and sanctifying, which is assur. Finally, the Gemara explains how a Kohen is permitted to make himself tamei to perform these services, explaining that it refers to a d'Rabbanan tumah like a Beis HaPeras where a Kohen may go for the sake of a mitzvah.

The Gemara is bothered by a fundamental question: how can we charge a person to teach them Torah or to judge their case? Rav Yehuda says in the name of Rav that the pasuk is telling us, "Just as I learned from Hashem for free, so too you must teach and judge for free." The Torah is a gift of pure chesed from Hashem, and we have no right to put a price tag on it. Yet, the Gemara brings a beautiful balance: "Buy truth, and do not sell." If you cannot find someone to teach you for free, you must be willing to pay whatever it takes to acquire the truth of Torah. But once you have it, you must never sell it; you must pass it on to others with the same open heart that Hashem gave it to us.

This yeshivish shakla v'tarya is not just about the halachos of paying a Dayan or a rebbe. It is a deep yesod in how we value our own ruchniyus. Lichoira, we often hesitate when it comes to spending money on our spiritual growth. We might think twice about buying a beautiful new sefer, paying for a high-quality shiur, or investing in a tutor to help our child learn. But the Torah is telling us: "Buy truth!" When it comes to acquiring emunah, Torah, and mitzvos, there is no such thing as "too expensive." We must be ready to invest our hard-earned money to bring the light of Hashem into our lives.

At the same time, when we are on the giving end, we must act with absolute selflessness. When a friend asks you for help in understanding a difficult piece of Gemara, or when someone needs your guidance in avodas Hashem, do not calculate what you will get out of it. Do not look for honor, recognition, or payback. "Just as I learned for free, so too you must teach for free." We are merely conduits for Hashem's wisdom, and our job is to share it with warmth and love, without any personal negiah.

Today, invest in your ruchniyus without calculation. Whether it is buying that sefer you have been wanting, paying for a class, or spending extra time helping another Yid learn a halacha or a passuk for free, show Hashem that His truth is your greatest treasure.