



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Bechoros Daf Yud Beis

MISHNA

- We may not redeem a peter chamor with a calf, with a chaya, with a shechted animal, with a treifa, with an animal of kilayim (i.e. the father is a goat and the mother is a sheep, both of which are a seh), or with a koy. **R' Eliezer** says it is mutar to redeem with kilayim because it is a "seh", but is assur to redeem with a koy because that is a safek (it may be a chaya).
- If the peter chamor itself was given to the Kohen without redeeming it, the Kohen may not keep it until he separates a seh in its place.

GEMARA

- Our Mishna follows **Ben Bag Bag**, who says in a Braisa that we learn a gezeira shava on the word "seh" from Korbon Pesach, which teaches that just as the Korbon Pesach may not be brought from any of the animals listed in the Mishna, the redemption of a peter chamor may not be done with any of these animals either. If so, maybe say that just as the Korbon Pesach must be a male, without a mum, and within its first year, the same should be for the seh used to redeem the peter chamor? The pasuk therefore says "tifdeh" twice, which teaches to include a seh that doesn't have these characteristics. Maybe we should say that the double "tifdeh" should teach to include the animals listed in the Mishna as well? If so, the gezeira shava wouldn't be coming to teach anything.
 - **Q:** May a peter chamor be redeemed with a seh that is a ben pakuah? According to **R' Meir** this is not a question, because he holds that it is a full-fledged seh, as he says that it requires its own shechita. The question is according to the **Rabanan**, who say that it doesn't need its own shechita – do we say it is like shechted meat that may not be used for redemption, or do we say that since it currently runs around it is called a seh and may be used? **A: Mar Zutra** said it may not be used and **R' Ashi** said it may be used.
 - **R' Ashi** asked **Mar Zutra**, if your reasoning is that you learn from the Korbon Pesach, you should require that the seh must be a male, without a mum, and within its first year!? **Mar Zutra** said, the pasuk says "tifdeh" twice, which teaches to include a seh that doesn't have these characteristics. **R' Ashi** asked, maybe we should say that the double "tifdeh" should teach to include a ben pakuah as well? **Mar Zutra** said, if so, the gezeira shava wouldn't be coming to teach anything.
 - **Q:** May a peter chamor be redeemed with a mutated seh (its parents are of one species but it looks like a different species)? According to **R' Eliezer** this is not a question, because he holds that even kilayim can be used, so a mutated animal can surely be used. The question is according to the **Rabanan** – is it only kilayim that may not be used but a mutated animal can be used or is there no difference? **A:** A Braisa says, if a cow gives birth to an animal that looks like a goat it may not be used for redemption. This implies that if a sheep gives birth to something that looks like a goat it could be used for redemption. Who is the Tanna of this Braisa? It can't be **R' Eliezer**, because he even allows kilayim to be used! Rather, it must be the **Rabanan** and we see that a mutated animal may be used!
 - The Gemara says this is not a valid proof. The Tanna may be **R' Eliezer** and he is teaching that we don't follow the appearance of the child, but rather the species of the mother.
 - **Q:** Maybe we can answer from a Braisa taught by **Rabbah bar Shmuel** which says, "What is kilayim? It is an offspring of two sheep that looks like a goat". Now, that is not kilayim – that is a case of a mutated animal!? Rather, the Braisa

must mean to say – what is similar to kilyaim and is treated like kilayim by the **Rabanan**? It is an offspring of two sheep that looks like a goat. We see that a mutated animal is treated like kilayim! It can't mean it is treated like kilayim for purposes of korbanos, because a Braisa teaches that the pasuk that teaches that kilayim may not be brought as a korbon also teaches that a mutated animal may not be brought!? It can't mean it is treated like kilayim for purposes of bechor, because the pasuk of "ach bechor shor" teaches that a mutated animal is not subject to bechor! It can't mean it is treated like kilayim for purposes of maaser, because a kilayim and a mutated animal are both patur from maaser based on a teaching of "tachas" from korbanos! Rather, it must mean it is treated like kilayim for purposes of peter chamor! We see that a mutated animal may not be used to redeem a peter chamor! **A:** It may be that the Braisa means to teach regarding maaser in a case where the offspring looks at least a little bit like the mother. We would have thought to learn from bechor and say that in that case it would be chayuv. The Braisa therefore teaches that we instead learn from korbanos and it is excluded from maaser as well.

- **Q:** May a peter chamor be redeemed with a passul korbon? According to **R' Shimon** who says that a peter chamor is mutar b'hana'ah it is not a question, because he holds it is fully chullin and a passul korbon can certainly be used to redeem it. The question is according to **R' Yehuda** who holds that a peter chamor is assur b'hana'ah – do we say that since it is assur b'hana'ah there is an issur and this issur cannot then be placed on the issur of a passul korbon, or do we say that since the issur of the peter chamor never takes hold onto the seh the redemption is simply removing the issur and not taking it on, and therefore it may be used? **A:** **R' Mari in the name of R' Kahana** said, the pasuk regarding a passul korbon says "katzvi v'cha'ayul", which teaches that just as a deer and an ayul may not be used for redemption, the same is true regarding passul korbanos.
 - Based on this answer we will say that even according to **R' Shimon** a passul korbon cannot be used for this reason.
- **Q:** May a peter chamor be redeemed with an animal that was purchased with shmitta produce? Regarding a definite peter chamor there is no question that it can't be used, because the Torah says that anything purchased with shmitta produce must be "eaten", which teaches that it may not be used in commerce (e.g. a redemption). The question is regarding a safek peter chamor (in which case the owner keeps the seh). Even then it is not a question according to **R' Shimon**, because he holds that a safek peter chamor does not have to be redeemed at all. The question is according to **R' Yehuda**, who holds that it must be redeemed – do we say that since he will be keeping the seh it is called "for eating" or do we say that since until he redeems it the donkey is assur, even the redemption of a safek is considered to be "commerce"? **A:** **R' Chisda** has said that an animal purchased with shmitta produce may not be used to redeem a definite peter chamor, but may be used to redeem a safek peter chamor.
 - **R' Chisda** said, an animal purchased with shmitta produce is patur from bechor and is chayuv in "the gifts" (the zero'ah, lechayayim, and keiva must be given to a Kohen). It is patur from bechor, because such an animal must be "eaten" and parts of a bechor are burned on the Mizbe'ach and are not eaten. It is chayuv in the gifts, because the Kohen eats the gifts and the animal will therefore still be "eaten".
 - **Q:** A Mishna says that a shmitta dough is chayuv in challah. Now, according to **R' Chisda** it should be patur since if it becomes tamei it would have to be burned!? **A:** The case of challah is different, because the pasuk regarding it says "I'doroseychem", which teaches that it applies at all times, even during shmitta. A Braisa gives this reason as well.
 - **Q:** Why don't we learn from challah that an animal purchased with shmitta produce should be subject to bechor as well? **A:** Challah is not meant to be burned, and is only burned if it becomes tamei. A bechor is always burned on the Mizbe'ach. Therefore, they are different.

NESANO LA KOHEN...

- A Braisa says this as well. The Braisa says, if a Yisrael has a peter chamor and a Kohen asks for the donkey and says that he will redeem it, the Yisrael may not give it to the Kohen unless the Kohen redeems it in front of him.
 - **R' Nachman in the name of Rabbah bar Avuha** said, we see from here that Kohanim are suspect regarding peter chamor.
 - **Q:** This is obvious!? What is he teaching us? **A:** We would have thought that that is only true for a Kohen who is established as having a presumption of being suspect. **R' Nachman** teaches that this applies to all Kohanim.

MISHNA

- If someone separated a seh for redemption of a peter chamor and the seh then died before being given to the Kohen, **R' Eliezer** says the owner remains responsible for the seh just as he would be responsible for the 5 sela'im for a human bechor that he remains responsible for until they reach the hands of the Kohen. The **Chachomim** say the owner does not remain responsible just like the owner of maaser sheini is not responsible for the money used for redemption if it is lost.
 - **R' Yehoshua and R' Tzadok** testified regarding a seh used for redemption of a peter chamor where the seh then died before being given to the Kohen, that the Kohen has no claim whatsoever.
- If the peter chamor itself died (after the seh was separated but before it was given to a Kohen), **R' Eliezer** says the peter chamor must be buried and the Yisrael is mutar to have hana'ah from the seh. The **Chachomim** say it need not be buried and the seh must be given to the Kohen.

GEMARA

- **R' Yosef** said, **R' Eliezer's** view is based on the pasuk of "ach padoh sifdeh..." which creates a hekesh between redemption of a human bechor and of a peter chamor – just as he remains responsible for the money used for redemption of a human bechor, so too he remains responsible for the seh used for redemption of a peter chamor.
 - **Q: Abaye** asked, if we make this hekesh we should also say that just as a human bechor is mutar b'hana'ah even before his redemption the same should be true for a peter chamor, yet our Mishna says that if the peter chamor dies **R' Eliezer** says it must be buried, which presumably means it is assur b'hana'ah!? **A:** It says it must be buried because of its comparison to a human bechor – not because it is assur b'hana'ah.
 - **Q:** Is it only a human bechor that needs kevurah, but other humans do not!? Also, a Braisa clearly says that **R' Eliezer** says that if a Yisrael has a safek peter chamor he must separate a seh for it but then keeps the seh. This shows that the peter chamor is assur b'hana'ah before the redemption!? **A:** Rather, **Rava** said, the pasuk says "ach padoh sifdeh", which teaches that the hekesh was only made with regard to the redemption, not for other things.
- **Q:** A Braisa says, eirechin are evaluated at their time of making, a human bechor is redeemed after 30 days, and a peter chamor is redeemed immediately. However, another Braisa says that eirechin, pidyan haben, nezirus, and peter chamor are never less than 30 days!? **A: R' Nachman** said, the first Braisa means that if it was done earlier than 30 days it is valid b'dieved.
 - **Q:** That would seem to mean that if a human bechor was redeemed before 30 days it would not be effective, even b'dieved. However, we have learned that **Rav** says it is effective!? **A: Rav** was talking about where he gave the money within the 30 days and said it should not take effect until after the 30 days. However, if he said it should take effect within the 30 days all would agree that it is not effective. **R' Sheishes** said that there is a mitzvah to redeem it immediately, but one is not oiver anything until 30 days have passed.
 - **Q: Rami bar Chama** asked, a Braisa says the mitzvah is all 30 days, from then on he must either redeem it or decapitate it. Presumably, this means that one is required to wait for 30 days before redeeming!? **A:** The Braisa means that there is a mitzvah to redeem it during the first 30 days.
 - **Q:** If so, the Braisa should say that after the 30 days he must either redeem it or be oiver!? **A:** Rather, **Rava** said, this Braisa of **Rami bar**

Chama follows **R' Eliezer** who darshens the hekesh between peter chamor and a human bechor, whereas the other Braisa does not hold of that hekesh.

MISHNA

- If one doesn't want to redeem the peter chamor he must decapitate it from the back of the neck and bury it.
- The mitzvah of redeeming it takes precedence over the mitzvah of decapitating it, as the pasuk says "v'ihm lo sifdeh va'arafto".
- The mitzvah of "yi'ud" (the master or his son marrying a Jewish maidservant) takes precedence over the mitzvah of redeeming her, as the pasuk says "asher lo ye'ada v'hefda".
- The mitzvah of yibum takes precedence over the mitzvah of chalitza – this is how it was originally, when they would intend solely for the mitzvah. However, now, when people don't only have intent for the mitzvah, the **Rabanan** have said that the mitzvah of chalitza takes precedence over the mitzvah of yibum.
- The mitzvah of the owner redeeming his item from hekdesch takes precedence over the mitzvah of anyone else to redeem it, as the pasuk says "v'ihm lo yiga'el v'nimkar b'erkecha".

HADRAN ALACH PEREK HALOKE'ACH UBER CHAMORO!!!