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

Bechoros Daf Mem Tes

MISHNA

- If a bechor died within 30 days of being born, even if the father already gave the 5 sela'im to the Kohen, the Kohen must return the money. If he died after reaching 30 days old, even if the father had not yet given the money to the Kohen, he must now give the money to the Kohen. If the boy died on his 30th day, it has the status as if he died before the 30th day. **R' Akiva** says, in that case if the father already gave the money he does not take it back, but if he had not yet given it he need not give it.

GEMARA

- The **Rabanan** say that the chiyuv begins on the 31st day, because they learn a gezeira shava on "chodesh" from the counting of the bechorim in the Midbar – just as over there it refers to *over* 30 days old, as the pasuk says "miben chodesh vamaalah", so too regarding pidyon haben it refers to *over* 30 days old. **R' Akiva** is uncertain. He says, since the Torah felt the need to write "vammalah" regarding arachin, and didn't learn it from the counting in the Midbar, there are 2 pesukim written teaching the same thing, and when we have two pesukim teaching the same thing we do not learn from them to elsewhere. Or maybe we say that we don't learn from such pesukim to other subjects, but maybe we still can learn for the same subject matter – i.e. bechor. That is why he is uncertain.
    - **R' Ashi** said, all agree that with regard to aveilus, the 30th day (if the baby dies on the 30th day) is treated like before the 30th day (and he is considered to be a neifel in which case aveilus won't apply), because **Shmuel** has said that we always follow the lenient view with regard to aveilus.

MISHNA

- If a father died before his bechor was 30 days old we have a chazaka that the son was not redeemed, until he can bring proof that the father did redeem him. If the father died after the bechor was 30 days old, we have a chazaka that he was redeemed, until they tell him that he was not redeemed.
- If a man has only 5 sela'im and he has to redeem himself (he is a bechor who was never redeemed) and he has a son to redeem, his own redemption takes precedence over his son's redemption. **R' Yehuda** says that his son's redemption takes precedence, because the mitzvah to redeem himself is really on his father, whereas the mitzvah to redeem his son is on him.

GEMARA

- We have learned, if one redeems his son before his son is 30 days old, **Rav** says his son is redeemed and **Shmuel** says he is not.
    - All agree that if the father says the redemptions should take effect "as of now" his son would not be redeemed. All also agree that if he says it should take effect after his son is 30 days old and when that time comes the money is still in existence, the son is redeemed. The machlokes is where he said it should take effect after his son is 30 days old and when that time comes the money is no longer in existence – **Rav** says the son is redeemed just like the case of kiddushin money given to take effect after 30 days, where if at that time the money is no longer in existence the woman is still mekudeshes. **Shmuel** says the case of kiddushin is different, because if he wants he can be mekadesh her now whereas in our case he cannot redeem the son now.

- Although the general rule is that when **Rav and Shmuel** argue we pasken like **Rav** regarding issurim and like **Shmuel** regarding monetary laws, in this case we pasken like **Shmuel**.
- **Q:** The Mishna said, if a bechor died within 30 days of being born, even if the father already gave the 5 sela'im to the Kohen, the Kohen must return the money. This suggests that if the son was still alive he would be considered as redeemed!? **A:** The case may be where the money is still in existence.
- **Q:** The Mishna said that within the 30 days of a child's birth we have a chazaka that the son was not redeemed until he can bring proof that the father did redeem him. We see that if he does bring proof it would be a valid redemption!? **A:** Here too, the case is where the money is still in existence.
- A Braisa was taught in front of **R' Yehuda**. The Braisa said, if one redeems his son within 30 days of his birth, the son is redeemed. **R' Yehuda** said to the one who taught the Braisa, **Shmuel** says the son would not be redeemed and you are teaching that he would be redeemed!?
  - The Gemara says, although the general rule is that when **Rav and Shmuel** argue we pasken like **Rav** regarding issurim and like **Shmuel** regarding monetary laws, in this case we pasken like **Shmuel**.

HU LIFDOS UBENO LIFDOS HU KODEM LIVNO…

- A Braisa says, if a man must redeem himself and has a son who must be redeemed, his own redemption takes precedence over that of his son. **R' Yehuda** says his son's redemption takes precedence, because his own redemption was the obligation of his father, whereas his son's redemption is an obligation on him.
  - **R' Yirmiya** said, all agree that if he only has 5 sela'im, his own redemption takes precedence, because one's own mitzvah comes first. The machlokes is where he has 5 sela'im of unencumbered money, and 5 sela'im in encumbered monies. **R' Yehuda** holds that an obligation in the Torah is like a written loan, and therefore he should use the unencumbered money to redeem his son, and have the Kohen collect the encumbered money for his own redemption. The **Rabanan** hold that such an obligation is not like a written debt. Therefore, he should use the available money for himself, since one's own mitzvah takes precedence.