

Bechoros – Simanim

פרק א – הלוקח עובר חמור

Daf 10 – י

1. Rebbe Shimon agrees that after עריפה, a פטר חמור is forbidden (and not מקבל tumah)

On the previous Daf, Rebbe Shimon said that a פטר חמור is permitted in benefit before being redeemed. Rabbah says: אסור – *Rebbe Shimon agrees that after decapitation* (i.e., where the owner does not redeem it), *it is forbidden*. He brings proof from a Baraisa in which the Tanna Kamma said that all foods forbidden in benefit (including פטר חמור) are still susceptible to *tumah*, but Rebbe Shimon says that anything which cannot be fed to a gentile is not called “food,” and is therefore not susceptible to *tumah*. Since Rebbe Shimon does not say that he concedes that פטר חמור is susceptible to *tumah*, he must hold it is forbidden in benefit after עריפה, and therefore not מקבל *tumah*. The Gemara suggests that the Baraisa’s case is where he did not intend to use it for food (and donkey meat is not usually eaten). Rav Sheishess explains why the Rabbonon would nevertheless consider it susceptible to *tumah*: הואיל ואיסורו חישבו – *because its prohibition is tantamount to its intention* (i.e., the prohibition for Jews implies it is fit for gentiles to eat). However, this explanation is eventually rejected.

2. A פטר חמור is killed if it is not redeemed because the owner caused a loss to the Kohen

Rav Nachman also said that Rebbe Shimon agrees that a פטר חמור is forbidden in benefit after עריפה. His second suggested proof is a Baraisa explaining why a פטר חמור is decapitated if it is not redeemed: הוא הפסיד ממונו של כהן – *he caused a loss to the Kohen’s property* by not redeeming the donkey with a lamb; לפיכך יופסד ממונו – *therefore, his property should be lost*. Now, if this Baraisa follows Rebbe Yehudah’s opinion, that a פטר חמור is forbidden even before redemption, היא מיפסד וקאי – *it is already lost* to the owner, since it was never permitted to him! Rather, it must be Rebbe Shimon, and apparently teaches that it is forbidden in benefit after עריפה. The Gemara offers two answers: the Baraisa can follow Rebbe Yehudah, and although the donkey was already forbidden in benefit, אפסידא – the Baraisa refers to *the loss of the difference* in value between the donkey and an inexpensive lamb with which he could have redeemed it. Alternatively, the Baraisa can follow Rebbe Shimon, and the “loss” may refer פחת מיתתה – *the depreciation* of the donkey’s value caused by killing it.

3. Machlokes if a פטר חמור must have a minimum value to redeem a ש

In a Baraisa, the Tanna Kamma *darshens*: תפדה תפדה – the Torah says, “*you shall redeem*” twice. They teach: [תפדה] – *redeem it immediately*, even before thirty days, and תפדה כל שהוא – *redeem it for any amount*, i.e., with a ש of even minimal value. Although a פטר חמור is compared to a human *bechor*, which is redeemed after thirty days and requires five סלעים, these laws do not apply to a פטר חמור. Rebbe Yose bar Rebbe Yehudah says: אין פדייה פחותה – *every valuation shall be in the holy shekel*, teaching: כל ערכך יהיה בשקל הקדש – *all valuations which you make for redemption may not be less than a shekel’s value*. The *halachah* follows the Chochomim, and one may even redeem with פטרוזא בר דנקא – *a thin [lamb] worth just a sixth of a zuz*. This applies to עושה מעצמו – *one who acts on his own*, but for לימלך – *one who asks* what he should give the Kohen, a generous person gives [a ש worth] סלע, a stingy person gives one worth a *shekel*, and an average person gives one worth a “רגיא” (three zuz).

Siman – Minyan of Yidden

When the **minyan of Yidden** watched a פטר חמור after עריפה marked אסור בהנאה and not מקבל טומאה, they confronted its owner for causing the Kohen a loss by refusing to redeem it and told him he could have redeemed it immediately with a thin lamb worth just a sixth of a zuz.

דף י | DAF 10

Minyan of Yidden



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3 things to remember

1. Rebbe Shimon agrees that after עריפה, a פטר חמור is forbidden (and not מקבל tumah)
2. A פטר חמור is killed if it is not redeemed because the owner caused a loss to the Kohen
3. Machlokes if a פטר חמור must have a minimum value to redeem a פטר חמור

